

Islamic Practice Regarding Non-Muslims

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Part 3 of
The Myth of Islamic Tolerance:
How Islamic Law Treats Non-Muslims

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PART 3.

ISLAMIC PRACTICE REGARDING NON-MUSLIMS

Introduction

Robert Spencer

The articles in this section are closely intertwined with those in part 2, as much of this material also details the legal status of non-Muslims in Islamic law. This collection of Bat Ye’or articles and supplemental material—the first authored by David G. Littman and Bat Ye’or thirty years ago—elucidates the reality of this legal superstructure by detailing how these laws were applied and their close relation to the legal and theological Islamic doctrine of jihad (see “Historical Amnesia”—a concept that has been given a renewed martial emphasis by today’s radical Muslim theorists).

In the course of Bat Ye’or’s historical explorations, she clarifies many common modern misconceptions, including one idea that often goes hand in hand with the idea of Islamic tolerance: the notion that the behavior, or indeed the very existence, of the modern state of Israel is the root cause of the friction between the Islamic world and the West, and that if Israel were to disappear, so would any impediments to a new flowering of the tolerant, humane, and generous Islamic spirit (see “Dhimmi Peoples: Oppressed Nations”). In fact, unfortunately, Israel is just one arena of the global jihad, and antisemitism but one manifestation of the intolerant spirit of contempt and disdain that generally has marked Islamic relations with members of the Qur’an’s “People of the Book.”

Another misconception exploded here by Bat Ye'or ("Islam and the Dhimmis") is the idea that the historical record of Islamic intolerance is somehow mitigated by worse behavior on the part of medieval Christian Europe toward its Jewish populations. Such comparisons, she notes, are virtually impossible to make and ultimately pointless.

For our purposes, it is sufficient to note that whatever may have been the sins of Christendom, they are in the past, but the dhimmi system of intolerance is still very much part of Islamic Sharia.

4.

PROTECTED PEOPLES UNDER ISLAM

David G. Littman and Bat Ye'or

Jews and Christians had been living throughout the Orient, Egypt, and North Africa for centuries before they were overrun in the seventh and subsequent centuries by successive waves of Bedouin invaders from Arabia, who, under the banner of Islam, subjugated peoples and territories from India to Spain. Many of the more important indigenous Jewish centers from Mesopotamia to the Atlantic could lay claim, at that time, to a continuous community existence dating back one thousand years, and those in their ancient homeland, the “Land of Israel,” to as long as two millennia.

The initial administrative tolerance of the conquerors was dictated by expediency and realpolitik, but as Arab colonization took root, the social and economic conditions of the local, colonized populations worsened. During the long centuries of Arab-Muslim domination, the surviving remnants of once-flourishing Jewish and Christian communities—who had neither fled nor been killed nor converted to Islam—were juridically and socially relegated to an inferior condition of subjection and humiliation difficult to comprehend today.

Their status was that of *ahl al-dlumma*¹—protected peoples, i.e., peoples tolerated in the Muslim lands: *dar al-Islam* (House of Islam)—which subjected them to the disabilities and humiliations laid down in specific regulations commonly known as the Covenant of Umar, which degraded both the individual and the community.²

Up to the last decades of the nineteenth century, and even into the twentieth, the Jews in most of North Africa (until European domination:

i.e., Algeria [1830], Tunisia [1881], Egypt [1882], Libya [1911], and Morocco [1912]), Yemen, and other Muslim lands of the Orient were still obliged to live in isolated groups amid the general population. They resided in special quarters and were constrained to wear distinctive clothing; the carrying of arms was forbidden to them, and their sworn testimony was not accepted under Muslim jurisdiction.

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The indigenous Christian populations fared no better. Throughout the Islamic lands they had, like the Jews, been reduced to the inferior status of dhimmis³ and had been virtually eliminated from North Africa by the twelfth century, during the Almohad persecutions.

For twelve hundred years, the dhimmis were *tolerated* in Muslim lands on the terms laid down in the Covenant of Umar, the refusal or infringement of which could incur the death penalty.

The dhimmi status was referred to by Egyptian Abu Zahra, at an important conference of theologians (1968) held at the Islamic University of Al-Azhar in Cairo under the patronage of President Gamal Abdul Nasser: “But we say to those who patronize the Jews that the latter are dhimmis, people of obligation, who have betrayed the covenant in conformity with which they have been accorded protection.”⁴

President Anwar el-Sadat’s declaration on the feast of Muhammad’s birth (April 25, 1972) also relates to this basic Islamic dhimmi concept: “They [the Jews] shall return and be as the Koran said of them: ‘condemned to humiliation and misery.’ . . . We shall send them back to their former status.”⁵ This highly evocative expression is based on a verse from the Qur'an (sura 9:29) and on its traditional theological exegesis; it is strangely reminiscent of a passage from a poem composed in the “golden age” of Arab-Muslim tolerance nine centuries ago. In a bitter anti-Jewish ode against Joseph Ibn Nagrella (the Jewish minister of the Muslim ruler of Grenada in Spain), Abu Ishaq, a well-known eleventh-century Arab jurist and poet, is unambiguous: “Put them back where they belong and reduce them to the lowest of the low. . . . Turn your eyes to other [Muslim] countries and you will find the Jews there are outcast dogs. . . . Do not consider it a breach of faith to kill them. . . . They have violated our covenant with them so how can you be held guilty against the violators?”⁶ Nagrella and an estimated

Five thousand Jews of Grenada were subsequently slaughtered on December 30, 1066. This figure is more than the number of Jews reported to have been killed by the pillaging Crusaders throughout the Rhineland thirty years later, at the time of the First Crusade.

Antoine Fattal, in his authoritative study on the legal status of non-Muslims in Muslim lands, has written:

The dhimmi is a second-class citizen. If he is tolerated, it is for reasons of a spiritual nature, since there is always the hope that he might be converted; or of a material nature, since he bears almost the whole tax burden. He has his place in society, but he is constantly reminded of his inferiority. ... In no way is the dhimmi the equal of the Muslim. He is marked out for social inequality and belongs to a despised caste; unequal in regard to individual rights; unequal as regards taxes; unequal in the law courts, as his evidence is not admitted by any Muslim tribunal, and for the same crime his punishment is greater than that imposed on Muslims. No social relationship, no fellowship is possible between Muslims and dhimmis. . . . Even today, the study of the jihad is part of the curriculum of all the Islamic institutes. In the universities of al-Azhar, Najaf, and Zaitoune, students are still taught that the holy war is a binding prescriptive decree, pronounced against the infidels, which will only be revoked with the end of the world.⁷

Likewise Louis Gardet, a Catholic theologian and a respected orientalist, one of the leaders of the contemporary “dialogue” between Islam and Christianity, has stressed,

The dhimmi should always behave as an inferior; he should adapt a humble and contrite attitude. For example, in the payment of the *jizya*, or poll tax, the qadi, on receiving the money, must make as if to give the dhimmi a light slap in the face so as to remind him of his place.⁸ The dhimmi should everywhere give way to the Muslim. ... If Islam did not invent the ghettos, it can be said that it was the first to institutionalize them. (The rules established by medieval Christian princes, in particular those of the popes for the ghetto of Rome, are often copies of Muslim prescriptions relating to dhimmis.) The Reverend Father Bonsirven

provided a brief but evocative summing-up of the civil and political situation of the Jews in the Middle Ages in his lecture at the Catholic Institute in Paris, later published with the title “Au Ghetto” in the January 1940 issue of *La Question d’Israël*. In fact, and without the R. F. Bonsirven having realized it, most of the rules, prescriptions and measures that he described repeat the regulations concerning the dhimmis attributed to Umar I.⁹

The historian of the Hafsidates, Robert Brunschwig, also remarked that “Islam subjected the dhimmis to special fiscal and vestimentary obligations.” He noted that, toward the end of the twelfth century, in the Almohad empire (North Africa and Spain), the Jews were compelled to wear a distinctive mark, besides ridiculous clothes. “Would it not be strange if it were the Almohad example which made Christendom decide to adopt the same sort of measure? The Jews were first compelled to wear a distinctive badge in Christian lands at the beginning of the thirteenth century (first officially promulgated at the Fourth Lateran Council of 1216).”¹⁰

The late renowned orientalist Gustave von Grunebaum wrote in 1971, “It would not be difficult to put together the names of a very sizeable number of Jewish subjects or citizens of the Islamic area who have attained to high rank, to power, to great financial influence, to significant and recognized intellectual attainment; and the same could be done for Christians. But it would not be difficult to compile a lengthy list of persecutions, arbitrary confiscations, attempted forced conversions, or pogroms.” He referred in detail to the well-known letter, written to the suffering Yemenite Jews toward the end of the twelfth century by Jewish philosopher Maimonides, who had found refuge in Fatimid Egypt after fleeing twice (from Spain and Morocco) from the intolerant Almohads: “and it is known to you that no nation stood against Israel more hostile than they [meaning the Muslims], that no nation did evil to perfection in order to weaken us and belittle us and degrade us like them.”¹¹

Bernard Lewis, the much respected historian and coeditor of the *Encyclopaedia of Islam*, emphasized in a 1968 article,

The golden age of equal rights was a myth, and belief in it was a result, more than a cause, of Jewish sympathy for Islam. The myth was invented in 19th-century Europe as a reproach to Christians—and taken

up by Muslims in our own time as a reproach to Jews.... . European travellers to the East in the age of liberalism and emancipation are almost unanimous in deplored the degraded and precarious position of Jews in Muslim countries, and the dangers and humiliations to which they were subject. Jewish scholars, acquainted with the history of Islam and with the current situation in Islamic lands, can have had no illusions on this score. Vambery [1904] is unambiguous: “I do not know any more miserable, helpless, and pitiful individual on God’s earth than the Jahudi in those countries.”¹²

One could provide scores of similar testimonies from earlier and later travelers to the Orient and North Africa. Here are but three general comments from the 1850s. A few other documents are included as well.

The Abbe Godard, who had travelled to North Africa, Egypt, and Palestine, noted in 1858, “It is said that in Rome the Jews never pass under Titus’s Arch, but if they also keep such long memories and grudges in Muslim lands, I do not see where they could walk.”¹³

A Romanian Jew, “Benjamin II,” who traveled extensively during five years in the Orient and the Maghreb, drew a revealing comparison: “How happy I would be if [by my book of travels] I could interest them [the Jews of Europe] in the plight of their coreligionists who are the victims of oriental barbarism and fanaticism. Our strong and free brethren, who have the good fortune to live under liberal regimes, where they are governed by wise laws and are treated humanely, will understand how deplorable and urgent is the abnormal situation of their brethren in the Orient. Religion demands it; humanity requires it. May the Almighty One lessen the burden of so many tribulations; may he reward their heroism after centuries of slavery and their indomitable faith under such cruel persecutions.”¹⁴

Jacob Saphir was born in Poland and taken to Safed in Galilee when he was ten; he fled to Jerusalem after the Safed pogroms of 1836 and later traveled widely in the Yemen and the East in 1858-59. On the conditions of the Jews of the Yemen, whose situation was pitiful, he had this to say: “In short, the suffering of the Jews in Yemen [1858-59] baffle all description. Even in the Holy Land things did not look rosy before 1830, as I know from my own experience. But in comparison with the Yemen, even Palestine could then be regarded as the land of freedom, and in the former country the Jew is regarded as

a hated prey.”¹⁵

The detailed report (1910) of Yomtob Semach showed that fifty years later nothing had basically changed in the deplorable condition of the Jews of the Yemen.¹⁶

Numerous unpublished nineteenth-century documents, as well as reports by European travelers,¹⁷ confirm that the discriminatory status applied to the Jews under Islam continued under one form or another in most Arab lands until the early years of the twentieth century. Thousands of Jews were assassinated singly, and collectively, *as Jews*, in Islamic lands from the Atlantic to the Persian Gulf during the half century before World War I. Forced conversions were not infrequent, often after girls and boys had been abducted.

It was only after the establishment of European protectorates in all of North Africa, Egypt, and the Orient (with the exception of the Yemen, where the Jews had to wait till 1949-50, when they were airlifted to Israel in “Operation Magic Carpet”) that the remaining oppressed non-Muslim minorities gained *de jure* equal rights with Muslims, and not always even then—for example, the Jews of Morocco and the majority of those of Tunisia remained under the protection of their monarchs until the middle of the twentieth century, and as dhimmis their sworn testimony was never legally recognized under Muslim jurisprudence.

Under European rule, Christians and Jews enjoyed physical security—and some even a certain affluence—that lasted for two or three generations. As each Arab country won its national independence, the situation of the minorities worsened, often becoming intolerable. More than one thousand Jews were killed in anti-Jewish rioting from 1938 to 1949 in Baghdad (1941/46/48), Tripoli (1945/48), Aden (1947), Aleppo (1945/47/48), Damascus (1938/45/49), Oudja and Djerade (Morocco), Cairo (1948), and so on. Similar tragedies happened during the same period to many indigenous Christian groups throughout the Arab world.

One can hardly blame, anachronistically, the Zionist Congress (1897), the Balfour Declaration (1917), or the declaration of Israel’s independence (1948) for past centuries of Arab-Muslim oppression.

A Moroccan Muslim, Said Ghallab, provided an authoritative testimony in an article published in 1965 in Jean-Paul Sartre’s periodical *Les Temps Modernes*:

The worst insult one Moroccan can make to another is to call him a Jew. ... My childhood friends have remained anti-Jewish. They mask their virulent antisemitism by maintaining that the state of Israel was the creation of Western imperialism. My Communist comrades have fallen into this trap themselves. Not a single issue of the communist press denounces either the antisemitism of the Moroccans or that of their government. . . . And the integral Hitlerite myth is cultivated among the popular class. Hitler's massacre of the Jews was acclaimed with delight. It is even believed that Hitler is not dead, but very much alive. And his arrival is awaited (like that of the Imam el Mahdi) to free the Arabs from Israel.¹⁸

The general Arab opposition to the existence of an independent sovereign state of Israel in its ancient homeland has its roots in traditional Islamic attitudes and dhimmi concepts.¹⁹ The contemporary hostile Arab attitudes toward Jews (nearly one million have fled from a dozen Arab countries since World War II, three-quarters of them to Israel)²⁰ and other minorities is not something unusual in the Arab world; what was unusual, for the dhimmis, was the relative calm of the preceding two or three generations, during the period of European domination.

The root of the present Lebanese tragedy is religious, whatever the political and social aspects. In 1860, the brutal massacre of several thousand Christians in Syria and Lebanon occurred soon after the passing of the Hatti Hiimayun edict (1856), which had granted equal rights with Muslims to Christians and Jews. The French intervened militarily, and combined European pressure obliged the Sultan to accept an autonomous Christian-Lebanese province, albeit still under Ottoman suzerainty. The determination of the indigenous Maronites (and other oriental Christian ethnic groups) to survive in their ancient homeland is a millenary phenomenon that should be recognized for what it is: an age-old resistance against foreign imperialist domination. Today, whether or not the Palestinians and other groups are participating willingly or are being used by fanatical leaders to achieve the ultimate aims of jihad does not change the essence of the historical pattern—simply because the slogans and catchwords used may lead to popular confusion.

A deeper knowledge of the past history of the non-Muslim minorities of these regions may help the student or observer to better understand the real aims

behind some of the present-day slogans of Arab propagandists—for example, the PLO’s plans for a *secular* Arab-Palestine state that is to replace Israel. One should bear in mind that this “politicidal” goal is fully supported by all Arab leaders, including Col. Muammar al-Gadhafi, who is a fervent believer in the fundamental, unchangeable truths of Islam and the Qur’an.

It is worth considering, as a conclusion, the profound observation made in 1968 by Georges Vajda, the eminent orientalist of the French Centre National de Recherches Scientifique:

In the light of the foregoing facts [illustrated in his article], it seems clear that, unless it changes its principles, goes against the deepest feelings of its coreligionists and calls in question its own *raison d’être*, no Muslim power, however “liberal” it may like to think itself (we say “it may like to think itself” and not “it claims itself to be”), could depart from the line of conduct followed in the past and continued de facto in the present, in conferring on the Jews anything but the historic status of “protection,” patched up with ill-digested and unassimilated Western phraseology. The same applies to the Christian minority, however it may attempt to secure its position by increasingly anti-Jewish attitudes (one should not forget the recent Vatican Council), inspired by political necessity but also on account of the ***odium theologicum*** that is even more firmly rooted in the Eastern than in the Western Church, and which dates from well before the birth of Islam. The present author cannot claim to make any value judgements, still less to prophesy. His familiarity with original sources throughout a life of study has convinced him that Christian and Jewish documents could in their turn provide a very substantial contribution to a disheartening anthology of incomprehension and rancor. If there does in fact exist a path towards a harmonious symbiosis between men of divergent convictions, only those who are able to break with their past will be able to set out on it.²¹

DOCUMENTS: JEWS IN NORTH AFRICA AND EGYPT IN THE NINETEENTH CENTURY

Morocco

General Domingo Badia y Leblich was a Spaniard and a scientist, sufficiently acquainted with the language and the customs of the Moors to deceive even Sultan Sulayman himself. Passing as a Muslim (Ali Bey), he carried out numerous “political” errands during his travels in the first years of the nineteenth century. The reliable and prolific writer on Morocco Budgett Meakin, in a review of all works on Morocco he published in 1899, considered Bey’s *Travels of Ali Bey in Morocco* “a standard work” and stated that “his observations may be accepted with faith.” The general description of the Jews of Morocco that follows is confirmed by earlier and later travelers.

The Jews in Morocco are in the most abject state of slavery: but at Tangier it is remarkable that they live intermingled with the Moors, without having any separate quarter, which is the case in all the other places where the Mahometan religion prevails. . . .

The Jews are obliged, by order of the Government, to wear a particular dress, composed of large drawers, of a tunic, which descends to their knees, of a kind of *burnous* or cloak thrown on one side, slippers, and a very small cap; every part of their dress is black except the shirt, of which the sleeves are extremely wide, open, and hanging down very low.

When a Jew passes before a mosque, he is obliged to take off his slippers, or sandals; he must do the same when he passes before the house of the Kai’d, the Kadi, or of any Mussulman of distinction. At Fez and in some other towns they are obliged to walk barefoot. . . .

On my arrival, I had two Jews amongst my servants: when I saw that they were so ill-treated and vexed in different ways, I asked them why they did not go to another country: they answered me that they could not do so because they were slaves of the sultan.²²

Arthur Leared, an English doctor, had no knowledge of Arabic but, according to Budgett Meakin (1899), his “observations” were accurate. His book first appeared in London in 1876. His description of the Jewish condition at that time in Marrakesh is confirmed by orientalists Heinrich von Maltzen and Joseph Halevy, who visited the southern Moroccan capital in 1859 and 1876, respectively. Dr. Leared’s comments on the Jews of Marrakesh are noteworthy.

The disqualifications and indignities to which the Jews are subjected

in the city of Morocco [Marrakesh], so far as they came under my own observation, were as follows:

- 1) They were never allowed to wear the turban.
- 2) In the presence of a governor, and when passing a mosque, they are obliged to remove the blue handkerchief which the head is at other times bound.
- 3) They must wear black instead of yellow shoes always worn by the Moors.
- 4) When they go from their own quarter into the Moorish town, both men and women are compelled to take off their shoes and walk barefooted; and this degradation appeared especially painful when one had occasion to walk with a Jewish friend through the filthy streets of the Moorish quarters.
- 5) A Jew, meeting a Moor, must always pass to the left.
- 6) Jews are not allowed to ride through the city.
- 7) They are not permitted to carry arms.
- 8) The use of the Moorish bath is forbidden to the Jews.
- 9) In the exercise of their religion they are restricted to private houses; hence there are no public buildings used as synagogues. This restriction applies equally to other parts of the empire, except Tangier.

No doubt there are other more or less annoying interferences with personal liberty which do not meet the eye. But the list given is enough to show that the grievances of the Jewish community are far from being merely sentimental. They live under the yoke of an iron despotism, and, as might be expected, betray this in their manner and appearance. The men are in general of medium height, but slender, long-visaged, and sallow. It is sad to see them walk with bowed heads and slow steps through the streets of their mother city. . . .

In the southern province of Sus the Jew is regarded as so indispensable to the prosperity of the country that he is not allowed to leave it. If he gets permission to go to Mogador to trade, it is only on condition that he leaves his wife and family, or some relation to whom he is known to be attached, as surety for his return. . . .

. . . According to Mohammedan law, neither Christian nor Jew has, in legal matters, any *locus standi*. In taking evidence their oath is not received, and the presumption is always in favor of the true believer [i.e. the Muslim].²³

Algeria

William Shaler was the United States consul in Algiers from 1816 to 1828. His *Sketches* were published four years before the French military occupation of the town in 1830. The Jews of Algiers—about ten thousand—formed roughly a quarter of its population. They became the first in any Muslim land to be granted equal rights with Muslims. Dubois-Thainville, the French consul at about the same period, and others, confirm Shaler's description.

Independent of the legal disabilities of the Jews, they are in Algiers a most oppressed people; they are not permitted to resist any personal violence of whatever nature, from a Mussulman; they are compelled to wear clothing of a black or dark colour; they cannot ride on horseback, or wear arms of any sort, not even a cane; they are permitted only on Saturdays and Wednesdays to pass out of the gates of the city without permission; and on any unexpected call for hard labour, the Jews are turned out to execute it. . . .

On several occasions of sedition amongst the Janissaries, the Jews have been indiscriminately plundered, and they live in the perpetual fear of a renewal of such scenes; they are pelted in the streets even by children, and in short, the whole course of their existence here, is a state of the most abject oppression and contumely. The children of Jacob bear these indignities with wonderful patience; they learn submission from infancy, and practise it throughout their lives, without ever daring to murmur at their hard lot. . . . It appears to me that the Jews at this day in Algiers constitute one of the least fortunate remnants of Israel existing.²⁴

In 1870 the vast majority of the Jews of Algeria were granted French citizenship by the Cremieux decree.

Tunisia

The situation of the Jews of Tunisia had begun to improve in the middle of the nineteenth century. The public hanging of an innocent Jew of Tunis in 1856 on the traditional accusation of blaspheming Islam became a cause celebre

and demonstrated the precariousness of their condition. A new constitution (the Fundamental Pact) giving Christians and Jews full equality with Muslims was promulgated under French pressure by the Bey of Tunis in 1857. In the revolt of 1864, the Jews of Tunis, Nabeul, and Djerba were attacked, and the new constitution was swept away.

The description of the Jews of Tunis by the Chevalier de Hesse-Wartegg relates to conditions around 1870, prior to the French protectorate (1881). The Jews of Tunisia were nonetheless better off than their brethren in Morocco at the same period.

The oppressions to which those latter are exposed, even to this day, are almost incredible. In Algiers the French Government emancipated them some forty years ago, but in Tunis, Morocco, and Tripolis they only got certain liberties during the last few years. Till then they had to live in a certain quarter, and were not allowed to appear in the streets after sunset. If they were compelled to go out at night they had to provide themselves with a sort of cat-o'-nine tails at the next guardhouse of the "Zaptieh," which served as a kind of passport to the patrols going round at night. If it was a dark night, they were not allowed to carry a lantern like the Moors and Turks, but a candle, which the wind extinguished every minute. They were neither allowed to ride on horseback nor on a mule, and even to ride on a donkey was forbidden them except outside the town; they had then to dismount at the gates, and walk in the middle of the streets, so as not to be in the way of Arabs. If they had to pass the "Kasha," they had first to fall on their knees as a sign of submission, and then to walk on with lowered head; before coming to a mosque they were obliged to take the slippers off their feet, and had to pass the holy edifice without looking at it. As Tunis possesses no less than five hundred mosques, it will be seen that Jews did not wear out many shoes at that time. It was worse even in their intercourse with Musulmans; if one of these fancied himself insulted by a Jew, he stabbed him at once, and had only to pay a fine to the State, by way of punishment. As late as 1868 seventeen Jews were murdered in Tunis without the offenders having been punished for it: often a Minister or General was in the plot, to enrich himself with the money of the murdered ones. Nor was that all. The Jews — probably to show their gratefulness for being allowed to live in the town, or to live at all—had to pay 50,000 piastres monthly to the State as

a tax!²⁵

Tripolitania (Libya)

Paolo della Cella's narrative describes the condition of the Jews of Benghazi before the Ottomans reasserted their more lenient rule in Tripolitania (1835). An English naval commander confirmed the similar abject status of the Tripoli Jews at about the same time. Cella, an Italian, was physician to the ruler of Tripoli.

The Jews form the labouring portion of the population of Bengasi, the remainder [Muslims] living in idleness at the expense of those unbelievers; in return for which, there is no species of vexation and extortion to which the Israelites are not exposed. They are not permitted to have a dwelling to themselves, but are forced to pay largely for being tolerated in the house of a Mahometan, who thinks he has a right to practise every kind of knavery upon his inmate. The clothes which a poor Jew had pulled off on going to bed, I saw exposed to sale in the market next morning by the master of the house.²⁶

Egypt

“The most perfect picture of a people’s life that has ever been written.” Edward Lane’s *Modern Egyptians* describes the Egypt he knew so well from 1825 to 1835; it has retained its reputation as a classic to this day. Lane spoke fluent Arabic, bore a resemblance to a pure Arab from Mecca and, in Egypt, dressed as an Egyptian. The passage that follows is extracted from the few pages of his book in which he portrayed the Jews of Egypt. This is thirty-five years before the opening of the Suez Canal and fifty years before the British occupation of the country, when Jews and Christians finally obtained de jure legal rights with Muslims.

The Jews have eight synagogues in their quarter in Cairo; and not only enjoy religious toleration but are under a less oppressive government in Egypt than in any other country of the Turkish empire. . . . Like the

Copts, and for a like reason, the Jews pay tribute, and are exempted from military service. They are held in the utmost contempt and abhorrence by the Muslims in general... far more than are the Christians. Not long ago, they used often to be jostled in the streets of Cairo, and sometimes beaten for merely passing on the right hand of a Muslim. At present, they are less oppressed; but still they scarcely ever dare to utter a word of abuse when reviled or beaten unjustly by the meanest Arab or Turk; for many a Jew has been put to death upon false and malicious accusation of uttering disrespectful words against the Kur'an or the Prophet. It is common to hear an Arab abuse his jaded ass, and, after applying to him various opprobrious epithets, end by calling the beast a Jew.²⁷

Egypt and Libya, November 1945

The beginning of the month of November 1945 was marked in Cairo and Alexandria [and also at Mansura, Tanta, and Port Said] by very grave anti-Jewish tumults [10 Jews were killed and 350 wounded]. Student youths and mobs carried out attacks against the Jewish population, both their persons and their property. The pretext for the attacks was the anniversary of the Balfour Declaration [November 2]. But, as the London *Jewish Chronicle* explained, in commenting on the events, all the testimonies received till now on the subject of the turmoil that occurred in Cairo concur in excluding a spontaneous outburst and show, on the contrary, that they were carefully organised. But whatever the origin, which seems difficult to detect, the real nature of the events to be understood—as with those that happened in Tripoli [Zanzur, Zawiyah, Qasabat, and Zlitan in Libya at the same period, taking the lives of 130 Jews, and wounding 450]—is the precariousness of the Jewish population in certain Arab countries, where the smallest pretext can trigger aggressions against Jews which, without being desired or approved by the majority of the Arab population, nonetheless constitute a grave danger.²⁸

NOTES

The complete English version of “Protected Peoples under Islam” was

published in Geneva on October 30, 1976, by the Centre d'Information et de Documentation sur le Moyen-Orient (CID). A French version followed on February 18, 1977. The last document included in the article, "Egypt and Libya, November 1945," only appeared in the French edition and has now been translated into English for this book. Shorter versions of this text by David G. Littman had already appeared in French in *L'Arche* (Paris), December 26, 1973-January 25, 1974, and then revised and enlarged for the *European Newsletter* of the World Union of Jewish Students, November 1975. All the quoted texts from French publications were translated into English in 1976 by David G. Littman.

HISTORICAL AMNESIA:

Naming Jihad and Dhimmitude

Bat Ye'or

In Genesis 2:18-21, God has all the animals pass in front of Adam to be named. Naming is to define an object for it to be recognized by its characteristics when it next appears. A thing without a name escapes the understanding, which does not register it and consequently cannot recognize it. This can be verified also in the realm of abstract knowledge. It applies as well to the concepts of jihad and dhimmitude, yet they represent a political system that has functioned without interruption and virtually without change on three continents for fourteen centuries. Although today it is reappearing with renewed vigor, this system—because it has not been given a name—is not recognized. It is even totally ignored, even denied, whereas the proofs of its past and present existence are obvious and manifold.

Although they are intrinsically linked, jihad and dhimmitude form two separate domains. The first represents a collection of principles, strategies, and tactics of wars and conquests, based on Muslim religious ideas relating to infidels. The second represents the body of laws that the Islamic state imposes on all non-Muslim populations (dhimmis) on lands conquered and Islamized by jihad. Dhimmitude encompasses the way of life mandated by the commands of the Sharia for these subjugated indigenous peoples.

A considerable number of chronicles written by Muslims and non-

Muslims exist containing information on the methods and development of jihad over the centuries. These texts make it possible to establish the synchronicity between these Islamic military practices and the prescriptions of jihad, formulated by the founders of the four schools of Islamic jurisprudence as early as the eighth century. These rules of jihad are still taught in Islamic schools and institutes in Muslim countries, Europe, and the Americas. The wars currently waged by Muslim states or groups in Israel, the Sudan, Nigeria, Kashmir, the Philippines, Indonesia, Chechnya, and the United States reproduce the classic strategy of jihad.

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With the technology of the twenty-first century this modern jihad reproduces the ideological principles of the jihad against infidels drawn up in the eighth century. It reveals the easily identifiable features of a worldwide jihad integrated into the process of globalization. It is easy to show the way in which current practices of war conform to the rules of jihad according to the Sharia. For example, the military conscription of pubescent and prepubescent children was used in the Iraq-Iran war, in the jihad against Israel (the *intifada*), and by Islamist militias in the Sudan. The same is true of the refusal to return enemy corpses (Lebanese Hezbollah); the taking and ransoming of hostages (Lebanon, Chechnya, the Philippines); the raids on villages and the abduction and enslavement of women and children (Sudan, Indonesia); and the terrorist campaigns against civilians regarded as enemies of Islam (infidels and apostates) and consequently deprived of all rights (terrorism in Israel, India, the United States, and Algeria).

Other manifestations of jihad include the jihad of the pen (propaganda) and jihad by way of buying hearts and minds (corrupting politicians, academics, and intellectuals). Jihad can also consist of dividing the enemy camp. For example, anti-Zionism and anti-Americanism in Europe is largely the result of political pressures exerted by the Arab-Islamic world on European political parties captivated by the oil mantra. Anti-Americanism divides two allied continents and weakens still further a Europe eroded by massive immigration, terrorism, and its economic dependence on oil. The wave of Judeophobia currently raging in Europe aims at isolating and terrorizing the Jewish communities to make them abandon their solidarity with Israel and to manipulate them against it. This policy, conceived in the Arab world, is

implemented in Europe by the criminal acts of Muslim immigrants perpetrated against Jews. It is not combated by governments that are impotent in the face of Muslim criminality and prefer to deny it; at the same time they encourage it through a biased anti-Israel policy. Lastly, the Judeo-Christian rapprochement, so essential to the two Peoples of the Bible, is torpedoed by the Islamic exploitation of the traditional antisemitism/anti-Zionism of the Euro-Arab pro-Palestinian lobbies.

Thus those pulling the strings of the jihad against the infidels hide behind a screen of anti-American and anti-Zionist Westerners. An Egyptian lawyer, Fouad Abdel-Moneim Riad, who was referred to in a recent interview as a former judge of an unspecified court on war crimes, talks of creating an international moral opinion. He calls for universal mobilization of the non-governmental organizations (NGOs) and of the civil society of the Arab and international world in order to set up a “moral tribunal” that would condemn Israel for war crimes. “Such a tribunal,” says magistrate Riad, “would be most effective if it were formed of great thinkers from outside of the Arab world.”¹ Riad makes it clear that the condemnation for war crimes must not be limited to a few culpable politicians, as happened with Hitler, but must embrace all the people of Israel. This is an example of the essentialist and collective category of the demonization of the infidel which is a fundamental notion of jihad. Riad’s idea soon found support from Archbishop Desmond Tutu in an article titled “Build Moral Pressure to End the Occupation.”² Consciously or not, the archbishop became the Christian spokesman for Riad by describing the stages of this orchestration of hatred against Israel, comparing apartheid with Israel’s self-defense against terrorism, under the accusation of “occupation.”

As for dhimmitude, it dissolves in the limbo of the unknowable, having never been analyzed or given a name until recently. It is replaced by the terms “golden age” and “exemplary tolerance,” propagated by pro-Muslim European lobbies. Yet dhimmitude can be observed today in most Muslim countries. A recently published book by Canon Patrick Sookhdeo throws light on some aspects of the existence of non-Muslims in Pakistan, a country governed by the Sharia.³ This description reveals a pattern of suffering that the historical chronicles only suggest, since most often the victims disappeared without a trace. And yet, however painful it may be, this condition is not an exact replica of the past, because no Muslim country, not even Saudi Arabia and the ex-Taliban regime, imposes the requirements of the Sharia in full, as was the case in the past when it constituted the sole jurisdiction in the Muslim empires. Thus the

condition known as “bonded labor” is of particular interest to the historian of dhimmitude, because it was the condition of the Jewish and Christian peasantries, so often described in their chronicles from the eighth to the nineteenth centuries. Today, in Pakistan, this subservience is still maintained by fiscal exploitation and arbitrary indebtedness that lead to expropriation and the slavery system. Likewise, Sookhdeo demonstrates how the inferior status of the non-Muslim can validate an abuse, in theory forbidden by law, and make it irreversible, as with the abduction of Christian women. This crime, also practiced in Egypt today, is a permanent component of dhimmitude.

The institution of jihad-dhimmitude constitutes a homogeneous modern pattern rooted in fourteen centuries of existence. As far as I know it has never been subject to the smallest criticism by Muslim theologians. The ideology of the jihad against the infidels and its stipulations, so often described in detail by Muslim and Christian chroniclers—namely massacres, deportations, slavery, and territorial dispossession—has never given rise to any examination. On the contrary, far from being condemned, jihad is fervently glorified and piously emulated. Judeo-Christian societies, trained to constant and rigorous self-criticism, find this total absence of relativism and historical objectivity bewildering. There are multiple reasons for it, but the principal cause lies in the fact that the eighth-century Muslim theologians rooted the institution of jihad-dhimmitude in the Qur'an and the Sunna of the Prophet, that is to say his life, his words, and his actions. These two sources are the foundation of the Islamic religion, jurisdiction, and civilization. Muslim doctrine postulates as an absolute axiom the total conformity of the divine will with the revelation (Qur'an) made to the Prophet, and with his words and his actions (Sunna).

A small booklet titled *Islam: The Essentials*, published in 1992 by the Islamic Foundation, England, lists the essential points of the faith. Among them, point 6 declares that Muhammad is “the Perfect Ideal for Mankind, the perfect servant of Allah and hence the complete and the ideally balanced manifestation of the attributes of Allah.” Point 8 specifies that the believer must worship Allah according to the revelations made in the Qur'an, by the method prescribed by Muhammad, “and hence in accordance with his sayings and practice, known as Hadith or Sunnah.” It is this doctrinal position that prevents any criticism or change.

Jihad and dhimmitude are compulsorily commanded by the Sharia, the sacred Islamic law, formulated by the jurists after the conquest of territories stretching from Portugal to the Indus. Their institutions are at the heart of the

dynamic of Islamization specific to Muslim history and civilization that developed among the conquered infidel majorities. To criticize these institutions would throw doubt on the moral legitimacy of the Islamization of the infidels' countries that was achieved. Further, this Islamization is commanded by the dogma that proclaims the mission incumbent on the Islamic community. This mission consists of imposing the law of Allah on all mankind. To challenge the legitimacy of jihad rehabilitates infidelity, unbelief (*kufr*), the incarnation of Evil opposed to the Good (i.e., Islam), and discredits the image of the Muslim jihadist fighter. Restoring the balance in this way is inconsistent with verse 4:140, "Allah will not grant the unbelievers any way over the believers." Moreover, it is this absolute demonization of the world of infidelity that in the past had determined—and still determines today—the dogmatic rejection of its culture and influence or their adoption in an Islamized form. Thus, the Organization of the Islamic Conference has promulgated the Cairo Declaration of Human Rights in Islam (1990), which, being in accordance with the Sharia, supersedes the Universal Declaration of Human Rights (1948). This same cultural anti-Western trend led to the creation in 1981 of an International Institute of Islamic Thought (HIT), an organization aimed at the Islamization of Western knowledge by relating it to the Sharia.⁴

If one understands, from the Muslim point of view, the theological arguments behind this lack of criticism, how can this historical negationism in the Western democracies be explained? The taboo that masks this subject leads to the claim that jihad has not made victims. Censorship presents dhimmitude in Andalusia and elsewhere under the aegis of a caliph applying the Sharia—complete with harems, eunuchs, and slaves, the majority of whom were Christians—as a perfect model of multicultural societies for the West to be emulated in the twenty-first century. This general misinformation enjoys wide outside financial support, and at the political level it justifies the European Union's laxity on the immigration question. Widely spread and taught, this myth is in keeping with Europe's security concerns and its policies of appeasement and conciliation toward Muslim countries. Servile flattery is the ransom for economic and terrorist reprisals. Quite recently Turkey applied pressure on the United States, Switzerland, France and Israel to prevent recognition of the Armenian genocide (1915-17). Thus the West has barricaded itself into a historical negationism that is the cornerstone of its economic, strategic, and security relationships with Muslim countries.

In the context of jihad-dhimmitude it should also be noted that Islamic

law imposes the same status on Jews and Christians. The difference in the ways in which these two communities have evolved is linked to external demographic and political factors. At the beginning of the conquests, the Christians constituted immense majorities equipped with powerful religious and juridical institutions, capable of constituting a threat to the immigrant Muslim minority. Despite their divisions, the Muslims always suspected them of allegiance to hostile Christendoms (*dar al-Harb*, “region of war”). Depending on circumstances, these two factors specific to the Christian dhimmis played an ambivalent role in the course of history, causing sometimes bloody reprisals that spared the Jews and sometimes preferential treatment obtained by pressure or money from the Western powers. By contrast, the vulnerability of the Jews, lacking outside protection, led to the disintegration of Palestinian Jewry by Arab colonization and to the decline and even in some cases the disappearance of the numerous Jewish diasporas of Arabia, Yemen, Egypt, Syria, Iraq, Persia, and Andalusia in the twelfth century.

In the nineteenth century, the destinies of the two communities totally diverged in the Middle East. Some Lebanese and Syrian Christian movements militated on behalf of Arab nationalism. This policy, conceived by France and the papacy, aimed at unifying Christians and Muslims in one ethnic and cultural identity in order to eliminate the religious context of dhimmitude. Arabism, propagated among the Christian dhimmis by missionaries, strengthened the influence in the Holy Land of the Holy See and France, sole protector of the Holy Places of Christendom. From its beginnings, the Holy See and France utilized this movement to cement an Islamo-Christian alliance and destroy Zionism, which was supported by Protestant England. Thus the religious and political rivalries of Europe were played out by the interdhimmi conflicts. During World War II, Christian and Muslim Arab nationalists—notably from Palestine—supported the fascist and Nazi regimes.

A number of Eastern Christians were opposed to Arab nationalism, which denied their ethnic identity, their culture, their history, and their rights in their country, since Christianity had grown up in the ancient civilizations of the Orient well before Arab Islam was imported with the invaders. These Christians also rejected the extreme Judeophobia that this movement spread. In addition, they denounced the revival of dhimmitude in Arab nationalism and campaigned for autonomous Christian territories in Lebanon and Iraq. The failure of these movements, mercilessly combated by the European colonial powers and broken by bloody Muslim reprisals, fed a large flow of Christian emigration from

Lebanon, Syria, Iraq, and Egypt throughout the nineteenth and twentieth centuries.

The Jews rejected Arab nationalism—a racist, Judeophobic, anti-Christian, and negationist ideology—that concealed the history, the civilizations, and the rights of the non-Arab peoples of the Middle East. Faced with Arab pogroms and fearing the fate of the Armenians, the Jews of Arab countries after World War II emigrated en masse in tragic conditions, abandoning all their possessions in these lands of dhimmitude, where for centuries they had been exploited, persecuted, and degraded.

Today, Arab-Muslim behavior toward non-Muslims has scarcely evolved since the seventh century. Israel, which symbolizes the liberation from dhimmitude of the Jewish people in their homeland, is attacked by jihad, while the remaining Christian communities live in Muslim countries under a system of dhimmitude in a precarious present and an uncertain future. The tragic consequences of Arab nationalism were revealed after the decolonization of the Muslim countries and in the process of their re-Islamization, which is bringing back the Sharia and consequently a modern dhimmitude for the Christians, and the jihad threat against the West. Thus the jihad-dhimmitude institution remains stronger than ever.

This situation is the result of the negationist culture imposed by Arab nationalism, which, in its war against Zionism, replaced the history of jihad-dhimmitude with the myth of perfect Islamo-Christian coexistence. Christian Arab nationalists destroyed their memory and their dhimmi identity, replacing them with an imaginary Arab origin. They fought—as had the janissaries in the past—against the liberation movements of their Christian brothers in order to keep them in the dhimmitude of Arabism. Ardent defenders of Islamic interests in the West, they made every effort to graft onto this amnesia a catalogue of Christian guilt toward Muslims and the latter's victimization in order to create an artificial symmetry between Islamo-Christian relations and Judeo-Christian relations.

Since Arab nationalism had been conceived and imposed by Europe, this misinformation prospered there, aggravated by circumstances connected with the expansion of the oil industries and international terrorism. In this way Europe has evolved into Eurabia, a new land of dhimmitude following the traditional pattern. The European ministers of Eurabia, like the Christian dhimmi notables, obey the commands of internal and external Islamist terrorism. While the dangers of an international nuclear jihad grew stronger, Eurabia, to assert its

existence, fulminated against Israel, accusing it of threatening world peace by its refusal to surrender to Palestinian terror. The media's onslaught against Israel was encouraged by political circles. The general insecurity that is destroying democratic civil institutions, and the anti-Jewish criminal attacks, testify to the incompetence of the minister-notables of Eurabia. Like the dhimmis, whose exemplary condition they had vaunted, they are forced to deny the antisemitic rampages since they are powerless to stop clandestine immigration or Muslim criminals without incurring economic and terrorist reprisals. Thus historical amnesia has led to political impotence and the servitude of dhimmitude, which is constantly gaining ground.

6.

DHIMMI PEOPLES

Oppressed Nations

Bat Ye'or

*Loose the bands of wickedness,
Undo the heavy burdens,
Let the oppressed go free,
And that ye break every yoke.*
—Isaiah 58:6

INTRODUCTION

There are peoples roaming the earth who no longer have a soul. Flight and exile have enfeebled their memories, dimmed their sight, and stifled their speech. In glancing through history textbooks, they smile in melancholy: today their nations no longer exist. Vanquished peoples, they have been rejected by history and have joined the anonymous mass of exploited peoples, whose blood, tears, and sweat have helped to build the civilization of their oppressors. Thus they wander through the world, with neither roots nor memories, strangers, forgotten by time, atomized—bearing their nostalgia like a shackle.

When historians, peering into history through the conqueror's eyeglass, meet them at the turn of every century, eloquent in their gloomy silence, they deem "tolerant" the genocide that decimated these peoples, forgetting that the

silence of nations is the same as that of the gulag. Some have survived, emaciated: these are the Samaritans. Others resist, and when their struggle explodes into violence, the world remembers the meaning of bravery: these are the Maronites. Others fight alone in the name of independence: these are the Kurds. Others despair in exile: these are the Armenians and the Assyrian Christians. Some are resigned to their fate: these are the Copts. And others dig up, from their liberated land, the ruins of their ancient culture destroyed by the occupant: these are the Israelis. So numerous and diverse, all these nations have shared a common destiny for thirteen centuries: they have resisted to the limits of human endurance in order to survive.

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In this year, dedicated to the fight against racism, oppression, imperialism, and colonialism, we wish to remember them. And bearing in mind the appeal of the Native Americans at the United Nations,¹ we wondered whether martyrdom endured for thirteen centuries does not justify *at last* the recognition of the national rights and the human rights of dhimmi peoples, heirs to the national and cultural values of the most ancient civilizations.

THE DHIMMIS

The fundamental evil in alienation is forgetfulness.
—Robert Misrahi

In this article, it is impossible to go far beyond general propositions. These will be best appreciated, however, after the reader has been provided with the basic historical framework. This is why it has seemed useful to specify briefly the socioeconomic background in which the dhimmi nations evolved, while abstaining, for reasons of clarity and space, from analyzing the historical context in any depth.

After the Arab conquest, the expression *dhimmi* designated the indigenous non-Arab and non-Muslim peoples—Jews, Christians, Zoroastrians (Persians)—whose territories came under Arab-Muslim domination. It signifies

“protected” because these populations—in theory, if not always in practice—were protected from pillage, slavery, exile, and massacre by the specific conditions of an agreed covenant between the victors and the vanquished. In return for such protection, the dhimmis were obliged to submit to a code or covenant (commonly referred to as the Covenant of Umar), a summary of which is given below. The need to control these foreign peoples naturally obliged the conquering Arab minority to adopt an oppressive political attitude, which became more and more severe over the years. In order to justify their oppression, the rulers based their policies on certain religious values to the exclusion of other Quranic verses recommending charity and fraternity. Thus a common geopolitical event—the conquest of foreign lands and the subjection of conquered peoples—was linked to a religious concept, the jihad, or holy war, which has as its inevitable consequence the oppression of the infidel. So, although the condition of the dhimmis is typical of religious intolerance—hardly exceptional in human history—only its political aspect, the spoliation and subjection of native inhabitants, will be examined here.

A dhimmi civilization is characterized by a language, a history, and a culture as well as specific political and juridical institutions developed in the national homeland before its annexation by the Arab conquerors. The expression *dhimmi civilization*, or *dhimmi people*, refers to a nation the ethnic origin of which is associated with a particular geographical area, regardless of that nation’s present dispersion. People who belong to a dhimmi civilization are individuals who have continued to transmit to their progeny their specific heritage, despite their wanderings and their present domiciles, which have resulted from loss of their national independence through occupation, oppression, and exile. Thus, whether Westerners or Orientals, Jews are part of a dhimmi civilization if they willingly perpetuate and accept the national and cultural values of Israel. It is the same thing with the Armenians, the Assyrians, and the Maronites as well as other peoples who, after the conquest of their homeland, were subjected to a legislation that either decimated them or forced them to live in exile.

Economic Exploitation

A tax (the *kharaj*) was levied on the lands left to the indigenous dhimmis. This tax symbolized the Arabization of the land of the dhimmis, that is, its

addition to the patrimony of the Arab-Islamic community. In the early period of colonization, lands given in fief were exonerated from the *kharaj*.

Each male dhimmi, with the theoretical exceptions of the aged, invalids, and slaves, had to pay a poll tax (the *jizya*), which symbolized the subjection and humiliation of the vanquished.

The dhimmis also paid double the taxes of the Muslims. In addition, ransoms (*avanias*) were frequently extorted from the local Jewish and Christian communities under threat of collective sanctions, including torture and death.

Politico-economic Discrimination

It was forbidden for dhimmis on pain of death

- to carry or possess weapons;
- to raise a hand against a Muslim, even against an aggressor unjustly determined to kill them;
- to ally themselves with the enemies of the Arabs;
- to criticize Islam, the Prophet, or the angels;
- to convert to any religion other than Islam, and having converted to Islam to revert to their original religion;
- to be linked by marriage or concubinage to a Muslim woman;
- to hold a position giving them authority over a Muslim.

The dhimmis were obliged:

- to live separated from Muslims, in special quarters of a town, the gates of which were closed every evening, or, as in Yemen, outside the limits of towns inhabited by Muslims;
- to have shorter houses than those of Muslims;
- to practice their religion secretly and in silence;
- to bury their dead hastily;
- to refrain from showing in public religious objects, such as crosses, banners, or sacred texts;
- to distinguish themselves from Muslims by their exterior aspect;
- to wear clothes distinguished not only by shape (length, style of sleeves, etc.) but also by specific colors assigned to each group of

dhimmis, i.e., for Jews, Christians, and Samaritans;

- to have different types of tombs from those of Muslims.

It was forbidden for the dhimmis:

- to go near mosques or to enter certain venerated towns, which would thereby be polluted;
- to have headdresses, belts, shoes, ornate saddles, or saddles similar to those of Muslims.

Furthermore, all elements of their exterior appearance were intended to emphasize their humble and abject status. They were forbidden to ride horses or camels, since these animals were considered too noble for them. Donkeys were permitted, but they could only ride them outside towns, and they had to dismount on sight of a Muslim. In certain periods they were forced to wear distinctive badges in the public baths, and in certain regions they were even forbidden to enter them at all.

The dhimmis were obliged:

- to make haste in the streets, always passing to the left (impure) side of a Muslim, who was advised to push them to the wall;
- to walk humbly with lowered eyes;
- to accept insults without replying;
- to remain standing in a humble and respectful attitude in the presence of a Muslim;
- to leave Muslims the best places;
- never to speak to Muslims except to reply.

Any litigation between a dhimmi and a Muslim was brought before an Islamic tribunal, where the dhimmi's testimony was unacceptable.

In North Africa and Yemen, the most repugnant duties, such as executioner, gravedigger, cleaner of the public latrines, and so on were forced on Jews—even on Saturdays and holy days. Contempt for the dhimmi's life was expressed through inequality of punishments for the same offences. The penalty for murder was much lighter if the victim was a dhimmi. The murderer of a

dhimmi was rarely punished, as he could justify his act by accusing his victim of blasphemy against Islam or of having assaulted a Muslim.

Muslims were strongly advised against social intercourse with dhimmis, but if contact with them could not be avoided it was recommended that they limit relations to the strictest necessities, always showing contempt.

This brief summary provides only an outline of the rules that governed a whole system of oppression, which increased or decreased according to the specific circumstances of each region. In exchange for these obligations inflicted upon the dhimmis, their existence was tolerated on their land, which was now Arabized. This tolerance was not final. It could be abrogated in two ways: the unilateral decision of the ruler to exile the dhimmis or infraction by the dhimmis of the regulations. The latter case permitted individual or collective reprisals against the dhimmi communities, ending in pillage or massacre. The enforcement or alleviation of the rules depended on the political circumstances and the goodwill of the rulers. Some orientalists have considered them “tolerant,” and this was evidently the opinion of those who benefited from them. But it is obviously not the point of view of the victims. For how can oppression be justified or esteemed “tolerant” other than by denying the humanity of those subjugated by it? Every colonizing power maintains that men are not equal and considers that its yoke is benevolent and tolerant. Nor did the Arabs invent this legislation. The Byzantine clergy first elaborated it—thereby giving an ideological arm to the imperial power—in order to destroy Israel in its homeland and in the diaspora. The Arabian conquerors Islamized it, developing and using it to annihilate in their turn both oriental and North African Judaism and Christianity in the political, economic, religious, and cultural spheres.

The situation of the Christian dhimmis was alleviated following Western European pressure to protect oriental Christians, pilgrimages to the Holy Land, and commerce with the Orient. In the second half of the nineteenth century, European Jewish organizations, aided by European consuls, were able to improve the condition of the Jewish dhimmis. It was only with European colonization, which proclaimed de facto equality between Muslim, Christian, and Jew, that the dhimmis, now liberated from discrimination, could feel free and even achieve some economic progress.

After European decolonization, Arab governments adopted a policy of intensive Arabization. Wiping out the consequences of European colonization meant, amongst other things, as far as the indigenous national minorities were concerned, the reestablishment of political, economic, social, and cultural

discrimination, with the aim of limiting those liberties that had been enjoyed during the colonial period. This discrimination was adjusted to new ideological formulae and was manifested with strong emphasis on the Arab-Muslim element to the detriment of the pre-Islamic ethnic cultures and nationalisms. The latter were either attacked, as in the case of the national movements of the Assyrians, Kurds, Zionists, and Maronites, or paralyzed, like the Copts of Egypt. Thus was reestablished the superiority and domination of the Arab-Muslim community over the ethnic oriental nationalisms, while pan-Arabism reaffirmed its imperialist principle of universal domination, which had been at the root of Arab colonization of the Near East, North Africa, Spain, Portugal, Sicily, and part of Italy.

Documents

Dhimmi Edict for the Jews of Yemen, 1905

The imam Said Yahya Ibn Muhammad, religious and political leader of the Yemen, wrote with his own hand the edict that follows. In 1905 the imam gave it to the Jews and promised to protect them “if they remained in their former status.” In 1921 the ancient law requiring the forced conversion of Jewish orphans was renewed and rendered more severe in 1925. It remained in force until the departure of the Jews for Israel in 1948-50.

Edict promulgated in the Yemen by Imam Yahya:

In the name of Allah, the all merciful and clement

This is the regulation which I ordain for all the Jews who must remain subjected to my laws and pay the [poll] tax without any change.

I recall to mind the ancient words and their meaning; I recall to mind the obligations which the Turks have forgotten and which were observed in the time of the pious imams, before the triumph of people ignorant of the law.

The Jews can remain untroubled and be assured of their existence if they pay regularly the *gizya*.

Every male having reached the age of thirteen years is subject to this tax ... and by this their life will be preserved under our domination.

No one can avoid paying this tax before the end of the year ... as it is written in the Qur'an. the book received from Allah....

The Jews must not:

- 1) Raise their voices in front of Muslims,
- 2) Build houses higher than the houses of Muslims,
- 3) Brush against Muslims whilst passing them in the street,
- 4) Carry on the same trade as the Arabs,
- 5) Say that Muslim law can have a defect,
- 6) Insult the prophets.
- 7) Discuss religion with Muslims,
- 8) Ride animals astraddle,
- 9) Screw up their eyes in perceiving the nudity of Muslims,
- 10) Carry on their religious devotions outside their places of worship,
- 11) Raise their voices during prayers,
- 12) Sound the shofar with much noise,
- 13) Lend money at interest, which can bring about the destruction of the world,
- 14) They must always rise in front of Muslims and honour them in all circumstances.²

Clothing for Dhimmi Jews (Debdou, Morocco)

They [the Jews] first obtained the usage of this scarf in Morocco [Mar-rakesh] and Mequinez, as a means of covering their ears. They really wanted to elude the customary insult of Moorish children, who delighted in knocking off their bonnets which were a sign of servitude. They are not allowed to fasten the scarf with a double knot below the chin. This knot must be a simple one and the scarf removed in the presence of Muslim dignitaries.... They are obliged always to wear the black or dark blue cloak (*yalak*); it is only by toleration that they wear the white *slam*, a small coat, useful against the hot sun. The coat's hood, made of blue cloth, must not fold over the head, lest the Jew be mistaken from afar for a Moor; for the Moor sometimes wears a hood of the same colour, except with a different rim.

Moreover the black bonnet must always be visible. Furthermore, the coat must have a little opening on the right, and the hood must fall

over the left shoulder in order to trouble the movement of the arm as another sign of servitude.³

1851: No Justice for the Dhimmi

It is my duty to report to Your Excellency that the Jews in Hebron have been greatly alarmed by threats of the Moslems there at the commencement of Ramadan....

The Jews having complained that a freed slave named Saad Allah was more obnoxious to them than any other person in Hebron and that Abder-rahman had released him almost immediately after sentencing him to imprisonment, I applied to the Pasha to have Saad Allah brought to Jerusalem.

His Excellency gave an order that the offender should be examined by the Council in Hebron, and if convicted, be forwarded to Jerusalem for punishment.

Accordingly a Council was held there during five hours, and the result was that a report (Mazbata) was drawn up and signed by the Mufti and Kadi, declaring that none but Jewish witnesses had appeared, "and we do not receive the testimony of Jews." Saad Allah was therefore dismissed.⁴

FROM DHIMMIS TO A DHIMMI STATE

Those who cannot remember the past are condemned to repeat it.

— George Santayana

(inscription on the gate of Dachau Concentration Camp Site Museum)

Among the motivations that contributed to the elaboration of the dhimmi status, the victor-vanquished relationship in its political aspect appears as the predominant element. A distinction must be made, however, between the treatment meted out by the Arab-Muslim conquerors to non-Arab lands on the one hand and to their inhabitants on the other. The conquered lands were permanently annexed by the Arab-Muslim collectivity, that is, they were

Arabized. The fate of their inhabitants depended on whether they had surrendered as a result of defeat in battle or according to treaty, but in either case indigenous inhabitants who refused conversion to Islam were tolerated only if they accepted the dhimmi status. Arabization of the conquered lands was marked by the *kharaj* tax, which was levied only on dhimmi-owned land. The tax was paid to the Islamic collectivity, since both the dhimmis and the produce of their work were considered as belonging to the conquering community of believers.

Arabization was in fact synonymous with expropriation, for it implied the dissolution of the bond between the land and its former owner. Henceforth the dhimmis were to be “tolerated” on their own land by a foreigner who had obtained possession legally—for appropriation by force was considered legal.

Exploitation of the Dhimmis

Having legitimately dispossessed the conquered populations according to the law of warfare, the conquerors tried to strengthen their hold by weakening the indigenous population through economic exploitation and inequitable laws. The decisive reason for the conqueror’s tolerance of the dhimmis’ existence was economic. They were sedentary peoples whose daily work both on the land and in the towns was productive and necessary. The empire expanded with the aid of a Bedouin army that benefited from the spoils of war; its maintenance was guaranteed by the exploitation of the dhimmis throughout the conquered territories. Henceforth the dhimmis became merely an exploitable human mass from which corvee was obtainable at will. At some periods they were tolerated with condescension and at others with animosity, according to the empire’s economic and strategic needs at the time.

Submission of the Dhimmis

The victor-vanquished relationship, being one of force, compelled the master to maintain the dhimmi in a permanent state of weakness, subordination, and inferiority. The dhimmi was forbidden to carry arms or keep them at home. He could be condemned to death for raising his hand against a member of the conquering religion, even in defense when criminally assaulted or attacked by a child. In certain circumstances, however, the enrollment of dhimmi mercenaries was permitted; on such occasions the latter enjoyed the same rights as Muslims.

The expropriation and economic exploitation of the dhimmi peoples required a moral justification. In order to legitimize the conquerors' right over the person and property of the vanquished, the ruling power glorified the superiority of the chosen conquering faith as well as the spiritual values it upheld, contrasting them with the perversity of the vanquished dhimmis.

It was necessary for the dominating group to illustrate by its dignity, authority, and wealth the divine grace that rewarded the just cause of the conquerors in contrast to the humility, isolation, and degradation of the vanquished. The conquerors endeavored to debase the very soul of the dhimmis by imposing on them the outward signs of moral degradation. When the politico-military danger of a massive revolt on the part of the dhimmis had passed, it was this moral and social degradation of human beings, justified by the superiority of the true believers, that characterized the dhimmi condition. But even then the political implications of the victor-vanquished relationship would survive side by side with that of the dominator-dominated, oppressor-oppressed relationship.

The dominant power felt obliged to expose publicly the imputed depravity of the dhimmis, especially as their culture—as heirs to the ancient civilizations of the Orient—was incomparably more developed than that of the conquerors. According to the renowned sheikh Damanhuri (Egypt, eighteenth century), the dhimmis “must not imitate the garb of the men of learning and honor, or wear luxurious garb, silk, or, say, fine cloth. They must be distinguished from ourselves in attire, as the local custom of each area may have it, but without adornment, so that it indicates their humiliation, submission, and abasement. Their shoelaces must not be like ours. Where closed shoes are worn, not laced footwear, their shoes should be coarse, of unpleasant color. The Companions [of the Prophet] agreed upon these points in order to demonstrate the abasement of the infidel and to protect the weak believer’s faith.”⁵

Debasement of the Dhimmis

A code of rules (the Covenant of Umar) based on religious and legal texts, enforced upon the already despoiled and subjugated dhimmis a moral debasement that reduced them to the outward appearance of complete contemptibility. They were deprived of all means of defense, either physical or legal, thus rendering them cowardly in comparison with the courage of their superiors; they were obliged to grovel in a servile manner such that the victor would appear more generous; they were forced to live in fear of the next day so

that each day they were delivered from death would fill them with gratitude, stifling their will to revolt against their oppressors, who only spared them because of their productiveness. According to theologian Sayh Muhammad al-Magili (Maghreb, fifteenth century), on the day set aside for collecting the *jizya*, the Jews were to be assembled in a public place, such as the bazaar, at the lowest and most debasing place.

The tax collectors were to stand above the Jews in a threatening position so that it should appear to everyone that the latter were to be humiliated and despoiled of their belongings. “They will then realize what favor we bestow upon them in accepting the *jizya* and letting them off so easily. Then they should be dragged away, one by one. . . . While paying, the dhimmi should be slapped in the face and pushed away so that he will consider that through this form of ransom he has escaped the sword.”⁶

Through isolation, infamy, vulnerability, and poverty, the dhimmis became social pariahs. The game had been won, and from then on the plundering of these subhuman beings, both their person and their possessions, was interpreted as a sign of the Divine Will rewarding the just cause of the victor. To claim that the goods and honors that certain dhimmis enjoyed were illegal and sinful was an easy next step, taken by famous jurist Ibn Taymiyya (Egypt, fourteenth century), who asserted that it was incumbent on rulers “to humiliate and oppress them [the dhimmis] by compelling them to observe the commandments of Umar; they have the duty to withdraw them from the important posts they occupy and generally to prohibit them from access to Muslim affairs.”⁷

Toleration of such a despicable creature was indeed a token of the victor’s generosity, but it was not to go unpaid for. Thus, according to the same jurist, the dominant community should tighten the yoke on its “proteges” so that they may realize that to flee from this condition of infamy would be punished by reprisals: at every moment they were threatened with death or exile. They were to live in an atmosphere of permanent menace. The toleration that spared their lives was not to be taken for granted—it was to be bought with gold and servility, and it could be unilaterally abolished, since the punishment of the infidel was only temporarily held at bay. This reprieve, in order to be extended, demanded more gold and more humiliation, more work, and more corruption.

Since the loyalty of the dhimmis to their religion was the cornerstone of their passive resistance to the conqueror, it was therefore necessary to debase it. The building of new religious edifices was prohibited, whereas those dating from

the pre-Islamic period could be restored only under certain conditions, providing that no enlargement or embellishment should improve the original structure. In other words, any restoration merely maintained them in a constant state of disrepair. Religious objects were looked upon with scorn as symbols of contemptible practices and were frequently pillaged, burned, or profaned. Their debasement added to the degradation of the few dhimmi places of worship that had escaped destruction and confiscation.

These, then, were the political, economic, and moral motivations that produced both the dhimmi status and the whole system of myths that justify the infernal cycle of debasement of man by man. Indeed, the dhimmi condition was by no means a historical exception. A number of discriminatory practices already existed in Eastern Christendom, and these were transmitted by Arabized converts and assimilated into the historical, political, and religious values of the Arab conquerors.

History Forgotten

Nowadays, when trying to dig up the past of the dhimmi communities, historians are overwhelmed by the silences of history that cover the deaths of nations. Standing out from the ashes of abandoned places, only ruined synagogues, churches, and profaned cemeteries are to be found. Even the humiliation of the past, which symbolized the dhimmis' resistance against oppression, is forgotten, or rather denied, by their descendants—for they have been freed by the West and are eager to forget their ancestral humiliation—and by those who have deliberately falsified or concealed historical truth.

The silence that smothers the cries of past oppression and humiliation is symbolic of the dhimmi destiny. People without a past, they are also a people without rights; and in our time, when petty nationalisms spring up artificially within a decade, acquiring their national slogans at will, the rights of the dhimmis to national autonomy in their liberated homeland or equal rights with their oppressors are never mentioned. Remnants of nations—dead yet living peoples—preserved in spite of a thousand years of silence, based on the principle that all criticism of the oppressor is blasphemy, they are the embodiment of silent suffering. In the victor-vanquished relationship, they are still today victims of a totalist policy: absolutely everything for the victor, absolutely nothing for the vanquished. The conqueror may glory in a

triumphantly successful imperialism, in the luster of pillaged civilizations, in the world's respect for strength and power. The vanquished must eke out a subordinate existence, affirming the grandeur of the masters and the contempt that history reserves for the weak, for the losers.

Israel: Dhimmi State

Is it necessary, it may be asked, to convey a message that no longer resounds in the hearts of a posterity that denies its past? For one who, herself a dhimmi, has in her quest for identity explored the abyss of oppression, the world today is full of dhimmis: for the system which produces them, not having been uncovered in our time, is still at work. The truth is that the dhimmi condition has reached the free world from the Orient, in the sense that the victims of the Arab economic boycott and of PLO-inspired international terrorism—banishing by death whosoever blasphemes against Ara-bism—are also dhimmis. Worse, there is even a dhimmi state, Israel, existing yet denied. The system of values that produced the dhimmis today decrees that to harass, assassinate, or mutilate the Israeli population and its sympathizers guilty of rebellion (Zionism) is legal and commendable. The same penalties were used to chastise the rebellious dhimmis, whose revolt was considered blasphemy—contesting as it did the dogma of the victor's superiority and the inferiority of the vanquished. Racism, imperialism, and colonialism form the hateful cloth of contempt and derision thrown on the State of Israel in order to disarm and ostracize a country, whose population, largely composed of dhimmi refugees from Arab lands liberated by Zionism, struggles for survival.

But are not references to the past detrimental to any prospects of peace in the Middle East, and should not such indictments be pushed into the background? These two points are important. The first implies that the teaching of history must submit to the political expediencies of the present, a policy that would result not only in historical falsification but also in the denial of history. If this is so, world peace will demand the destruction of all the history books of humanity, which henceforth, deprived of its memory, experience, culture, and intelligence, will revert to barbarism. Once the utility of human history has been admitted, to deny this principle to the dhimmi nations exclusively, on the pretext that their past is merely a denunciation of oppression, would raise a moral problem for history itself. Are persecuted and humiliated peoples to be rejected

on the grounds that history is destined to become the narcissistic reflection of supermen and victors who boast unremorsefully of their glory, who are steeped in the blood and misery of the vanquished?

It is my belief that an objective knowledge of the past, though not itself the fundamental condition in bringing about brotherly understanding among mankind, is nevertheless a necessary stepping stone. To deny the objective data of history reflects the same mentality that once taught, in defiance of all evidence, that the sun orbits the earth.

And then, there is peace ... and peace.

There is the *pax arabica* imposed by Khaled of Arabia in order to halt Communist progress in the Orient and to create the requisite conditions for the destruction of Israel: to isolate the Jewish State, while arming its neighbors to the teeth during a “cold war” aimed at weakening it by the return to its territory of Palestinized Arabs. That kind of peace is no more than a tactical peace in a strategy of war.

There could be another kind of peace, however, the only real peace that makes sense in the geopolitical history of the Orient. And this peace can only come about after a revolutionary recasting of the values of Arabism, which will, for the first time, bring about a renunciation of totalist concepts and the acceptance of equal rights and national autonomy for dhimmi nations. But, one might object, is Israel—a part of whose population is of European extraction—really a dhimmi nation? If the Hebrew people can resurrect on their ancestral soil the language, the institutions, the historical geography, the culture, and the pre-Islamic national traditions characteristic of this land, then Israel is truly a dhimmi nation that has achieved its decolonization. The dispersion of the Hebrew nation following an imperialist annexation of territory cannot be advanced as a justification for this annexation. In other words, the defects the victim develops as a result of oppression cannot be used by the oppressor as a pretext for his oppression (dominator-dhimmi relationship). But it is in fact this dispersion, resulting from the expropriation of the land of the Jewish dhimmis, that is invoked in order to legitimize the Arabization of the conquered territory.

Article 20 of the PLO’s National Covenant claims that Jews do not form a real people and are no more than citizens of the states to which they belong. Article 1 explains the reasoning behind this attitude: “Palestine is the home-land of the Arab Palestinian people; it is an indivisible part of the Arab homeland, and the Palestinian people are an integral part of the Arab nation”⁸—which in modern terminology is the Arab empire.

The rebirth of a pre-Islamic Hebrew language and culture, in a land conquered and Arabized by force, constitutes a revolutionary defiance of the totalist mentality that has for so long conditioned the dominator-dhimmi relationship. In Israel, the Hebrew language—the pre-Arabic national vernacular—enjoys equality with Arabic and is not considered an inferior or nonexistent language, as is Kurdish, which is today struggling to survive, or Syriac, which has long since disappeared in Iraq and Syria. And Judaization or re-Hebraization of Arabized lands reinstates a dhimmi culture—exterminated in some parts, held in contempt in others, particularly in the Land of Israel in order to affirm and maintain its Arabization—on an equal footing with the conqueror’s culture. Thus it can be seen that the recognition of Israel must be not merely a tactical toleration for a limited period. A true recognition would demand from Arabism—as a necessary prerequisite for peaceful coexistence between Arabs and dhimmi nations, including respect for each other’s rights—a total revision of the values that assured its expansion and domination. Such a critical revision of pan-Arabism as an ideological movement would bring to an end the historical perspective in which the dhimmi nations have been dehumanized for so long and would open the first breach in the totalist mentality.

Against the background of these historical and political motive forces, the territorial aspect of the Israeli-Arab conflict seems of secondary importance and will finally depend on the evolution of the mental attitudes elaborated in the Orient during centuries of Arabization. In order that a process toward peace may last and bear fruit between Arabs and liberated dhimmi nations, it must take into account the sociological and cultural human substratum fashioned by history. To succeed in making peace—to work for a peace that is not a temporary expedient—one must know the dhimmis history.

THE LIBERATION OF THE DHIMMIS

The day on which crime adorns itself with the effects of innocence, by a strange reversal, innocence is summoned to provide its own justification.

—Albert Camus

During the sessions of the colloquium on Zionism, which took place at the College de France (Paris, October 1976), the ideological attitudes of European Zionism were discussed by noted specialists. With the exception of Mrs. Doris Bensimon-Donath, no one appeared to remark the absence of that forgotten representative. Oriental Jewry, still waiting for the doors of history to open. It is important, not perhaps numerically (it forms only a small part of the Jewish people) but by virtue of the lessons to be learned from its history. Leaving aside the political context and the misrepresentation of Zionism as Western imperialism, it serves the interests of scientific research as well as of the Jewish people to discover this other Zionism—the Zionism of fervor. backbone Zionism, which motivated the transplantation to Israel of entire Oriental communities. It is a Zionism of the humble that was never spoken about because it was as natural and as necessary to the Oriental masses as the air they breathed. And if Oriental Jews produced neither great theoretical debates nor organizational structures, the reason is, judging by their massive Return to Israel, that Zionist teaching would have been superfluous—and also because, in Arab lands, Zionism was often forced to operate clandestinely. Moreover, if the emigration of Oriental Jewry were not set in motion until 1948, it was because its leaders understood that the saving of European Jewry was a vital priority. Besides, Arab pressure reduced the possibilities of emigration.

Certainly, it would be as well for European Jewish intellectuals—particularly for the new generation overflowing with political generosity—to turn toward this venerable ancestor of Western Jewry in order to discover the greatness and nobility of its destiny. For Western Jewry, even though it represents the majority, it does not constitute the totality of the Jewish people, and its history, although interesting, does not cover that of all the people of Israel. Oriental Jewry, whose past is torn down and used unscrupulously by political opportunists, can and must make an indispensable moral and historical contribution to the history of Israel.

The history of Oriental Jewry is interesting from many points of view. First, it gives us an insight into the significance and specific evolution of Arab-Jewish relations. Second, it explains the later development of the dhimmi nations, since the fate of the Jews of Arabia foreshadowed the fate of the dhimmis and was accepted as standard procedure throughout the period of Arab conquest. The Jewish condition in traditional Islam—similar to that of the Christian—was determined by the manner in which the Arabs in their expansion refused to recognize the national autonomy of the pre-Islamic cultures and

civilizations whose lands they had usurped. But like all national histories, that of the dhimmis is not confined to a framework of cause and effect, that is, a chain of facts and political and economical phases. It spills over into a specific spiritual universe, the moral dimensions of which, forged in the course of thirteen centuries, are still noticeable in the reaction of peoples when confronted with history. And the cardinal historical event that changed Jewish life in the Orient was the massive Return to Israel in a period of less than two decades. So the traditional attitudes of the Jewish dhimmis show themselves in their return to Zion.

In the first place, this “Gathering in of the Exiles to Israel” is in keeping with the messianic current that traversed and invigorated the history of dhimmi Jewry—and only this current can explain the collective determination to remain Jewish in the face of the persecution stemming from this determination. This hope of Return is expressed in a dual attitude, apparently contradictory: a collective faithfulness to a national past, paradoxically related to a futurist vision of a better society, for every messianic expectation necessarily implies faith in the future. The massive transfer of Oriental Jews to Israel is in accordance with historic continuity; it is the fulfillment of their messianic-national aspirations, cherished throughout their exile.

In respect of their relations with the Arab world, Oriental Jews also perpetuate the traditional attitudes of the dhimmis toward the Muslim. Indeed in Islam the dhimmis have a very precise economic function, which the builders of the Muslim empire conferred upon them and which was subsequently confirmed in all the legislative texts that governed their status. Caliph Umar, who is considered the founder of the Muslim empire, had already commanded, during the conquest of Syria, that the indigenous peoples should not be shared out among the Arabs but should be subjected to taxation so that the following generations of Muslims might benefit from their labor: “Our children will live off them indefinitely for as long as they survive and these people will remain slaves to the adherents of Islam for as long as the latter endure. Therefore, strike them with the poll tax.”⁹ The taxes imposed on dhimmis, writes the famous jurist al-Mawardi (d. 1058), “are two burdens imposed on the polytheists by Allah for the benefit of the Faithful.” The dhimmis were thus a human mass that was to be tolerated as long as it could be exploited.

When the interests of Islam required it, the community of the Faithful was duty-bound to execute dhimmi males and reduce their women and children to slavery while taking possession of their belongings; or, as an alternative, they

could be expelled, and their property confiscated. Both measures were legal, and they were left to the whim of the ruler holding the religious and political authority. In modern times the second alternative was applied to Jews in many Arab countries.

It is true that Oriental Jews had *chosen* to return to Israel, but nonetheless they did not *depart* from Arab countries; in most cases they were *expelled* under the most painful circumstances, forced to leave behind them all their belongings while suffering brutality and humiliation—for, it should be added, the humiliation and degradation of the dhimmis is also the legal prerogative of the community of the Faithful. Hence, in the twentieth century, Jews were treated as dhimmis—in conformity with tradition—by the same Arab states that had just obtained their independence. And, curiously enough, the Jews reacted in exactly the traditional manner of dhimmis. As in the past, they resigned themselves to suffer massacre, rape, and pillage, being disarmed in the face of violence and the law by the prohibition to carry arms and the lack of the right of appeal to the courts. Thus in modern times they silently accepted confiscation of the fruit of generations of dhimmi labor. For thirteen centuries, men's justice had relegated them to a condition that was in reality permanent injustice. Could justice imply for them anything else but nothingness or derision? Such ideas as vindicating their rights or even imagining that they had any rights were so revolutionary that they were inconceivable to the dhimmi mentality. Thus the dhimmis never even dreamed of complaining to international organizations. Neither did they organize themselves into terrorist gangs to kill innocent Arab civilians in order to take revenge on the governments that had exploited and robbed them. They never required the international community to provide for their needs. They never exploited the compassion of public opinion for destructive political aims. Conditioned to submissiveness, to humility, and to silence by the moral aftereffects of a prolonged condition of fear, injustice, and oppression heroically endured during thirteen centuries, Jewish refugees from Arab countries were able to find within themselves the moral force necessary to overcome these ordeals. Because of this, the psychological and physical problems of social and economic integration affecting about two million Oriental Jews, including children, are today practically unknown to the world at large or even to Western Jewry.

How, then, did the modern dhimmis manage? Exactly as their forefathers when driven out, exiled, and pillaged; they had to face adversity with nothing but their own resources. They returned to their economic function as dhimmis:

that of tireless creative workers. But there was one difference: they had now broken the pact of servitude and were henceforth masters of their own destiny.

The Oriental Jews returned to Israel, cultivated the desert, built up border towns, elaborated the country's industrial infrastructure, and participated in the war of national defense. And when the Arab nations, who had exploited, oppressed, and robbed them, hired terrorists to kill their children and dynamite their new homes, they replied yet again as would dhimmis, with a peace offer—in other words, with a messianic vision of the redemption of peoples, a messianism that, as has been seen, was engendered by the determination to remain dhimmis in the hope that one day their servitude would come to an end.

The Oriental Jewish refugees who emigrated to Europe and America had to confront difficulties that were in no way less arduous. Without any help whatsoever they had to integrate themselves into a highly technical society and provide for their families and the education of their children. Today, when the Arab economic boycott again threatens the efforts of these refugees, the Jews of the Orient respond once more with a call for peace.

The study of the dhimmi condition is a rich source of instruction. It invites us to ponder the destiny of exploited and oppressed human beings, not because of any fatality of theirs (race, color, social clan) but as a result of *their* deliberate choice, renewed throughout the ages, to remain on a spiritual plane higher than that of their oppressors whatever the brand of infamy imposed upon them. In the oppressor-oppressed dialectic that ensued, one can see the typical profde of the dhimmis: a courage manifesting itself in silence rather than in words, a tragedy forever overcome because chosen, the humble nobility of daily heroism reenacted time and again.

This is also the meaning of the extraordinary lesson in bravery given to the world by a handful of people ready to die, misunderstood, despised, and forsaken: the Maronites of Lebanon.

Document

Jewish Dhimmis of Jerusalem, 1839

From a report dated May 23, 1839, by W. T. Young, British Vice-Consul, Jerusalem to Viscount Palmerston, Foreign Minister, London (P.O. 78/368 no. 13):

Agreeably to Your Lordship's commands. I have the honour to report on the state of the Jews in Palestine, so far as I am able in the present state of the country, when owing to the Quarantines, our means of communication are very limited.

The spirit of toleration towards the Jew, is not yet known here to the same extent it is in Europe—though their being permitted to live in the Musulman Quarter, is some evidence that the tierce spirit of oppression is somewhat abated. It should however be named that they pay more than others do for the rent of their Houses, thus they may be considered in some measure to purchase toleration.

The Pacha¹⁰ has shewn much more consideration for the Jews than His people have. I have heard several acknowledge that they enjoy more peace and tranquillity under his Government, than ever they have enjoyed here before. Still, the Jew in Jerusalem is not estimated in value much above a dog—and scarcely a day passes that I do not hear of some act of Tyranny and oppression against a Jew—chiefly by the soldiers, who enter their Houses and borrow whatever they require without asking any permission—sometimes they return the article, but more frequently not. In two instances, I have succeeded in obtaining justice for Jews against Turks. But it is quite a new thing in the eyes of these people to claim justice for a Jew—and I have good reason to think that my endeavours to protect the Jews, have been—and may be for some little time to come, detrimental to my influence with other classes—Christians as well as Turks [i.e., Muslims].

... another Despatch to Her Majesty's Agent, on the subject of a new Proclamation which has been issued here, forbidding the Jews from praying in their own Houses—and reporting a most barbarous punishment of a Jew and Jewess that took place in Jerusalem this week....

What the Jew has to endure, at all hands, is not to be told.

Like the miserable dog without an owner he is kicked by one because he crosses his path, and cuffed by another because he cries out—to seek redress he is afraid, lest he bring worse upon him; he thinks it better to endure than to live in the expectation of his complaint being revenged upon him. Brought up from infancy to look upon his civil disabilities everywhere as a mark of degradation, his heart becomes the cradle of fear and suspicion—he finds he is trusted by none—and

therefore he lives himself without confidence in any.¹¹

RETROSPECTIVE ON DHIMMI LAND

Judea and Samaria

July. The light blazes in the silence. On every side Judea. There's a hillock ... hardly a hill, a teardrop on the Judean land. It is Bethar, where once stood the fortress of the courageous Bar Kochba, the last stronghold of ancient Hebrew resistance. The stones testify in silence, for the earth cannot lie. It confides its message to whoever listens, without even the need to turn over the soil with a trowel. All is there, laid bare as in an open book, despite the ravages of conquerors. A square tower and a wall joining two bastions bear witness to the beauty and solidity of the typical Hebrew architecture of the First Temple period. Over there, a wall and tower built by Herod more than half a millennium later. And crowning it all, Bar Kochba's fortification: a square tower faced with stones, semicircular watchtowers, and gates. Farther away the traces of the Roman encampment can still be seen. Here, on the ninth day of Ab in the year 135, the Jewish resistance was annihilated by the Roman army.

Silence. We have taken cover in the shade of an olive tree. Instantly the children have nestled in the branches, listening solemnly to our guide. Somewhere a fig tree perfumes the air ... or is it merely the breeze of the Judean hills? Circular gesture by Yaakov Meshorer, chief curator of archaeology at the Israel Museum, renowned numismatist and former supervisor of excavations in Judea-Samaria, as he explains.

Excavations in Judea have brought to light flourishing towns possessing numerous synagogues. The architecture as well as the ornamental patterns are typical of the attractive pre-Islamic Israelite civilization, represented in Galilee by the synagogues of Capernaum. Beth Shearim, Chorazim, Kefar Baram. Meran and other places. Between the years 70 AD and the Arab invasion and occupation in 640. these hills were dotted with Hebrew towns and villages where an intense national, religious and cultural life prospered. Deprived of its independence, the

nation concentrated its genius by reflecting upon the richness of its national past. This is the period in which the Mishnah was elaborated and completed in the second century, shortly to be followed by the Talmud—monumental religious, legal and social compendia. Completed in about 400, this work was continued for another two centuries, keeping alive an intense Messianic fervor whose force was to be felt as far as Arabia.

The Arab occupation scarcely modified the Hebrew place-names, and the Jewish inhabitants, now considered as dhimmis, remained on their land. It was only later that the relentless mechanism typical of every colonization gradually wiped out the indigenous population, thereby encouraging a progressive Arabization of the land.

In the former Jewish town of Bethar, there are now fifteen hundred Arabs. They call the place where the Jewish vestiges stand *khirbet al-Yahud*, the ruins of the Jews. Nevertheless, were the Israelis to return, the Arabs would not hesitate to chase them away with indignation, referring to them as foreign intruders. Mystery of the Oriental mind or logic of the occupant? These Arabs, hardly interested in a past that is not theirs, ignore totally the history of the places where they live. Of course they know that the spot was inhabited formerly by Jews, as the name indicates, but these ruins, relating to a people dispossessed and driven out, are only of interest as a quarry conveniently providing stones that others have hewn. But the excited comments from the olive tree taught me that any Jewish child knows more about the history of this place than its Arab inhabitants.

In Eshtemoa, a biblical name Arabized by the occupants into Es-Samoa, the Arab inhabitants still live in houses built almost fifteen centuries earlier. The architectural elements and decorative designs, including the menorah, are all typical of pre-Islamic Jewish art. It is common to find Arab villagers cooking on ancient mosaic floors. In the center of the village was once a three-storied synagogue, of which only two ruined floors remain. The size of the synagogue suggests that there flourished here an important community. Like many other indigenous monuments, the synagogue was destroyed at the beginning of the Arab occupation. Its stones, particularly those decorated with bas-reliefs, were used by the Arabs and today adorn their doorposts.

At Yata, the biblical name of an Israelite village, beautifully decorated Jewish ossuaries typical of the first and second centuries CE are scattered around Arab houses and used as drinking troughs for their cattle. Many troves of coins

dating from the second Temple and Hasmonean periods have been found in this area.

The discrepancy between history and population in Judea and Samaria troubles the traveler constantly. It is true that the Hebrew place-names have been Arabized, that Jewish religious shrines have been Islamized—as in Hebron and elsewhere—and that Arabization has succeeded in effacing all traces of Jewish nationalism. It is also true that from afar the Arab villages seem picturesque. This is only a superficial impression, however, for if the traveler, endeavoring to account for his troubled spirit, were to look more closely he would often discover a mere heap of ruins. The neglect of the surrounding vegetation is so general that one is reminded not of a biblical landscape of wooded hillsides but of the sandy wastes of Arabia. One is struck with pity, for people do not generally live in ruins, however poor they are. Ruins are seen everywhere, so much so that they are no longer noticed.

In 1864 Arthur Penrhyn Stanley, the dean of Westminster, remarked that Palestine, more than any other country, was a land of ruins: “In Judea it is hardly an exaggeration to say that whilst for miles and miles there is no appearance of present life or habitation, except the occasional goat-herd on the hillside, or gathering of women at the wells, there is yet hardly a hill-top of the many within sight that is not covered by the vestiges of some fortress or city of former ages. Sometimes they are fragments of ancient walls, sometimes mere foundations and piles of stone, but always enough to indicate signs of human habitation and civilisation.”¹²

The hillside terraces that in ancient times were planted with vineyards and olive trees are not the only aspect of destruction. What could be more distressing than these poor settlements without streets, houses—or rather, dilapidated cubes—void of architecture, haphazardly propped up with sculptured blocks, broken columns, and capitals ransacked from the monuments of previous civilizations. Banished or massacred, the indigenous dhimmis have completely disappeared. The nomads became sedentary; the colonists came. They camped in the houses of others, patching them up when necessary by destroying monuments they had not built. Its past hardly interested them, strangers in this land taken from others: it was not theirs. And when the relentless torment of the Exile brought the indigenous inhabitants back to their land, the fear of this continual return and the prospect of having to share the land with the despoiled victims resulted in animosity and bloodshed. Historical evidence is not wanting, but it will suffice to quote one or two testimonies from

the last century. In a report to Palmerston in 1836, Colonel Campbell, the British consul-general in Egypt, describes how “their Mahomedan fellow-countrymen of Saffet took advantage of the disorderly state of the country, and fell, on the 16th June, on the innocent Jews of that town, robbed their property, violated their women, assassinated those who attempted resistance, and continued their lawless proceedings for thirty-three days.”¹³ At about the same time, in 1834, American traveler John Lloyd Stephens describes similar scenes perpetrated against the Jews of Hebron, who witnessed with their own eyes the rape of their wives and daughters.¹⁴

In 1872 English traveler Thomas Jenner was deeply moved during a visit to Nablus by the distress of two Jews, “the government having chased them from their homes and thrown them into the street with their belongings because they had need of their abode in order to quarter soldiers.”¹⁵ Nothing exceptional about such a measure, for the lodging and maintenance of Muslim troops was often an obligation imposed by the conqueror on the native dhimmis. At times of rampant anarchy the invaders were encouraged by such a law to dispossess their predecessors “legally”—especially if it is remembered that the latter were completely unarmed and their sworn testimony refused. This is only an insignificant element alongside so many others in the long chain of events that transformed the dhimmi peoples from majorities to “tolerated” minorities in their own land.

But nowhere else is the tragedy of history so poignant as in Shomron-Sebastia in Samaria. Nowhere else is the devastation so sinister as in the ruins of this ancient capital of the northern kingdom of Israel, founded about 880 BCE. Here, more than anywhere else perhaps, the contrast is striking between the present desolation and the magnificent vestiges of a flourishing and active population. There are the fortifications and palaces of Omri, Ahab, and Jezebel, the granaries of Jeroboam II (787⁴⁹). Herod built here an avenue bordered with columns. A theater, a stadium, and a city wall with gates and towers testify to the solid, elegant Israelite architecture of this period.

Today, Shomron-Sebastia is nothing more than a miserable village where thirteen hundred Arabs camp among the ruins. The church built by the Crusaders, in which lie ancient tombs attributed to Hebrew prophets Elisha and Obadiah, has become their mosque. Despite the rubble on the floor—due to an accumulation of centuries of neglect—the building remains impressive. Foreigners to this past, the present inhabitants ignore it and cover their misery in the ruins. These columns, these sculptured stones are merely used as material for

repairing their poor hovels. Human distress and the cataclysms of history are brought together here to make of Shomron-Sebastia the symbol of the greatness and extermination of a people.

This people, victim of the world's longest-lasting genocide, is represented today by a remnant. Two hundred fifty Samaritans, no more, "tolerated" by forty-four thousand Arabs in their former capital of Shechem-Neapolis, Arabized to Nablus. This is not the place to describe the massacres, confiscations, and persecutions of all kinds that reduced this numerous population of farmers and skilled artisans to the size of a pathetic remnant. The interested reader can consult the article "Samaritan" in the *Encyclopaedia Judaica* (1971), where mention is made of the threat of total extermination which, in 1842, would certainly have overcome this inoffensive and dying community of 142 souls, had not another dhimmi community—the Jews of Jerusalem—come to their rescue at the last moment. Benyamin Tsedaka, a 125th-generation descendant of Manasseh (son of the patriarch Joseph), explains that the reason for the numerical difference today between Jews and Samaritans is that his people refused to go into exile: "Our principle was not to leave [the Land of] Israel."¹⁶ This is the simple explanation of the historical anomaly of a Samaria without Samaritans and a Judea without Jews. Today the magnificent ruins of Shomron-Sebastia are among the most moving monuments in Israel. Because they were a Jewish sect attached to the soil, the Samaritans suffered their "final solution" in the obscure and humble silence in which history has buried the dhimmis.

Today the dhimmis' specter, shrouded in hatred, despoiled and despairing of all human justice, since they have been rejected by it—so often described for those who know where to look—haunts the deserted hills of Judea and Samaria, where the dhimmis' destiny was embodied.

Today the populations of these regions are Muslims, with the exception of a few pockets of Arabized Christians, remnants of the Byzantine occupation or of Crusader times, who have survived thanks to the protection of European Christendom. The Samaritans have been reduced in their homeland to 470 survivors, of whom 250 still live in Nablus. Until 1948, Jewish inhabitants of the region were massacred or expelled, and the right to reside was prohibited to them until 1967. The Arabization of the region resulted in a *judenrein* Arab province, that is, "cleaned" of all trace of its pre-Arab culture.

The indigenous peoples were replaced by Greeks, Arab-Bedouins, Persians, Druzes, Circassians, Turks, and Slavs, who were thus able to benefit from the Arabized land of the dhimmis. Yet since 1967 these peaceful villagers,

with unperturbed consciences, who justified their Arab rights established by the martyrdom of the banished or annihilated native peoples, have been experiencing a nightmare. The Jews, exiled in the wake of successive waves of occupation and its sequelae, or tolerated in his own homeland but in a state of subjection—these Jews now return. And they come back no longer as dhimmis—the sole status acceptable for a native—but as citizens enjoying all the rights of free people. It is true that however scandalous it may seem, such an occurrence is not unique. Several dhimmi peoples have recovered their independence: Sicilians, Spaniards, Greeks, and Maronites, but not without leaving open wounds in the pan-Arabic consciousness. “We intend to fight in order that our Palestinian homeland will not become a new Andalusia,” declared Abu Iyad, one of the principal leaders of the PLO.¹⁷ Should one be surprised that certain Arab circles deplore the Hispanization of Spain, the Lebanization of Lebanon, and the Judaization of Israel?

Thus the Jews return. With care they search among the ruins and bring to light thousand-year-old documents bearing Hebrew inscriptions, meaningless to the villagers. The monuments and coins they discover confirm their history. The Jews, treated as foreigners, reach out to the soil that yields up its history. A perfectly harmonious dialogue in time and space is established between them.

The nightmare postponed for all these centuries by inhuman laws suddenly becomes a reality. There is no doubt about it, the natives have returned. And what if they were to take back their land, restore the destroyed hill terraces, rebuild their innumerable ruined synagogues? What if it were possible to evaluate the suffering of thirteen centuries of forced exile? If there was exile, then there must have been occupation—the two concepts are inseparable—and each knows his respective history. So a resistance is prepared against the gathering in of the exiles in an Arabized land.

But Israelis are not interested in quibbling over the past; all they want is to build a new future. Without chasing anyone away, all they want is to return home. The Arabs bom and bred on this soil are in no way responsible for a thousand-year-old imperialism, even if they are its heirs and benefactors. No one is to be a foreigner; thus Israelis propose a peaceful coexistence in the land of their history, in the towns and villages that bear Hebrew names. They are ready to share with their Arab cousins, whose language is so similar to their own. It is all very simple: a discriminatory legislation, like that to which the dhimmis were submitted, does not exist in either the history or jurisdiction of Israel. Thus, from the Israeli point of view, there is nothing to impede a normal relationship of

equality being established between the two parties.

The present Arab populations are faced with a choice: acceptance of peaceful coexistence and a relationship of equality between Arabs and Israelis instead of the traditional dominator-dhimmi relationship, or a continuance of the traditional jihad in massacring, exiling, or dominating the legitimate heirs in a renewed effort of total Arabization. “The civil war in Lebanon is not over and blood will continue to flow! Our war in Lebanon will save the Arabization of the Lebanon. I declare in the name of the Palestinian movement, and for the national leftwing Lebanese forces, that Lebanon will remain Arab,” Yasir Arafat declared on November 30, 1975, in Damascus. This choice also concerns Oriental peoples other than Israel. It apposes a tradition of Arab domination to a revolutionary liberation movement striving for the rights of *other non-Arab Oriental peoples*.

With these thoughts in my mind, I strolled through an Arab quarter on the outskirts of Jerusalem, hardly a hundred yards from Mount Zion. Suddenly a hail of stones welcomed me. A group of Arab adolescents shielding themselves behind oil drums was hurling projectiles and curses at me while they screamed their loyalty to the PLO. The movement I made in order to protect myself took me back twenty years to the Jewish cemetery in Cairo, where I had accompanied some elderly relatives, widows who were taking leave of their departed, for, as Jewesses, they were effectively being banished from Egypt. They were startled by a hail of stones thrown by a group of Arabs. Chased off by jeers, they fled as fast as they could, as vulnerable in their old age as the mortal remains they were abandoning to probable depredations. And the gesture we then made, they to protect themselves and I to shield them, was the same as I was now making under Arab projectiles in Jerusalem, city of David, king of Israel. A gesture repeated for a thousand years by the dhimmis burying their dead in secret and in haste, or attacked and humiliated in the streets—the traditional gesture of the Arab, passed on from father to son with the same contemptuous hatred of the oppressors toward their victims.

In that same month of July 1977, the waves of bomb attacks in Israel and the attempts to wipe out the Maronites in southern Lebanon reminded me that the spilling of dhimmi blood was still lawful...

Documents

1884 Origin of the Palestinian Arab Population—the Example of the Plain of

Sharon

It is a singular fact that the strip of coast from Haifa to Caesarea seems to have become a centre of influx of colonists and strangers of the most diverse races. The new immigrants to Caesarea are Slavs. Some of them speak a little Turkish. Arabic is an unknown tongue to them, which they are learning. Their own language is a Slav dialect. When the troubles in the provinces of Bosnia and Herzegovina first broke out [1875], which led to the Russo-Turkish war, a howl of indignation went up from the philanthropists. ... When it [the agrarian question] was settled by handing over the provinces to Austria, the Slav-Moslem aristocracy, finding themselves in their turn persecuted by their former [Christian] peasants and the Christian power which protected them, migrated to the more congenial rule of the sultan. So the curious spectacle is presented of a Slav population migrating from Austrian rule to Asia, in order to be under a Moslem government.

Close beside the new Bosnian colony there are planted in the plain of Sharon two or three colonies of [Muslim] Circassians. These are the people who committed the Bulgarian atrocities. The irony of fate has now placed them within three or four miles of colonists belonging to the very race they massacred. They, too, fleeing from government by Christians, have sought refuge under the sheltering wing of the sultan, where, I regret to say, as I described in a former letter, they still indulge in their predatory propensities. In immediate proximity to them are the black tents of a tribe of Turcomans. They belong to the old Seljuk stock, and the cradle of their tribe gave birth to the present rulers of the Turkish Empire. They have been there for about three hundred years, and have forgotten the Turkish language, but a few months ago a new migration arrived from the mountains of Mesopotamia. These nomads spoke nothing but Turkish, and hoped to find a warm welcome from their old tribesmen on the plain of Sharon. In this they were disappointed, and they have now, to my disgust, pitched their tents on some of the spurs of Carmel, where their great hairy camels and their own baggy breeches contrast curiously with the camels and costumes of the Bedouins with whom we are familiar. . . .

The Slav colonists, whose immigration I described in my last letter, are laying out broad streets right across the most interesting ruins,

using the old foundations, appropriating the beautiful masonry, the white stones which formed the temple built by Herod, and the brown limestone blocks of the cathedral of the crusaders, quarrying into ancient buildings beneath the surface of the ground, levelling down the ruins at one place, levelling them up in another, and so utterly transforming the whole picturesque area that it will soon be no longer recognizable. . . .

They were the landed aristocracy of their own country, and have, therefore, brought a considerable amount of wealth with them. A large tract of the most fertile land of the plain of Sharon has been donated to them by the Turkish government....

The lower or peasant class of Bosnia and Herzegovina were not obliged, when the country was conquered by the Moslems, to change their religion, and they have continued Christians; while the descendants of their masters, who remained the proprietors of the soil, became bigoted Mussulmans. The consequence has been that now that the country has been handed over to the Austrians, the Christian peasantry have naturally found protection from the authorities against the oppression of their former masters, who, unable to endure the humiliations of seeing the tables turned, and their old servants enabled to defy them with impunity, have sold all their possessions and migrated to the dominions of the sultan, rather than endure the indignities to which they declare they were exposed from their new Christian rulers and their old Christian serfs. . . . Whether they will agree with their Circassian neighbours remains yet to be seen. They form the avant-garde of a much larger migration which is to follow as soon as arrangements can be made to receive them.¹⁸

The Return of the Dhimmis, about 1949

In 1881 the Jewish dhimmis of Yemen decided on a collective return to the Holy Land. Here are accounts of these immigrants:

And they celebrated the festival [Succoth] with great rejoicing. And throughout the whole festival, day and night, men and women spoke only of the subject of Eretz Israel. And all the Jews who were in Sana'a and all the Jews of Yemen agreed together to sell all their houses and all their goods in order to use the money to journey to their country. And almost all of them neither slumbered nor slept at night, out of their longing and

desire and the burning enthusiasm of their love for Eretz Israel. And so strongly did this love break out in their heart, that they cast away all their money, selling all their houses and possessions at an eighth of the value, in order to find money for the expenses of the journey by land and by sea.¹⁹

A first caravan [of Yemenites) was fortunate enough to arrive [at Jerusalem].... This second caravan, and a third one recently arrived from Sanaa and its surrounding mountains, is blocked at Hodeida. The Turkish authorities have forbidden their departure for Jerusalem. This order is most iniquitous, for it was only after these poor people had sold to the Muslims the little which they possessed that the Governor General of Yemen decided to stop their departure.²⁰

The Yemenite Jews headed westwards and reached the Red Sea. They traveled on sambouks to Jeddah, Hadeida and Aden and from there aboard steamships to Egypt, Palestine and European Turkey. The last caravan which left Haidan [!], one day's journey from Sa'dah, took three years to reach Jaffa. These wretched people reached the sea, and finding themselves without any means, struck out northwards on foot, crossing the land of Assyr. They rendered small services to the Arabs—the women doing needlework, the men making pieces of jewelry—and when they arrived at Jeddah, they had accumulated enough money to pay their passage to Jaffa.²¹

O Lord, save thy people, the remnant of Israel.
Behold, I will bring them from the north country,
And gather them from the coasts of the earth,
And with them the blind and the lame.
The woman with child
And her that travaileth with child together:
A great company shall return thither,
They shall come with weeping,
And with supplications will I lead them:
I will cause them to walk by the rivers of waters
In a straight way. wherein they shall not stumble.

—Jeremiah 31:7–10

POSTSCRIPT

President Sadat's Visit to Jerusalem (November 1977)

To know is to understand: those who know well the obsession of the dhimmi Jew stereotype in the consciousness of the contemporary Arab—particularly of the Palestinian Arab—and its central polarizing role in the Arab-Israel conflict can understand the courage of President Sadat and the symbolic grandeur of his act. The historic meeting of Sadat and Menachem Begin and the warmth of their greetings expressed Sadat's will to refuse for the future the demonology of the dhimmi Jews—transposed into that of the Zionists—in order to discover the human face of Israel. Those 70 percent of psychological elements in the conflict, to which Sadat referred, are founded on the impurity and untouchability of the supposed dhimmi-Zionists with whom the Arabs have until now avoided all contact. Isolated in the heart of the Arab world, the Zionists became a symbol of derision, hate, and aversion. But to talk to an Israeli, to shake his hand, to accept his presence, to communicate with him by language and reason—all eminently human privileges—is to see him as an equal.

Only a knowledge of history can help one understand that this gesture breaks with traditional attitudes of the past thirteen centuries. Of course, this does not mean that the Jews should feel a frenzied gratitude because they have been promoted from subhumanity to humanity: they could as well deplore the thirteen centuries during which their humanity has been denied. What one should admire in President Sadat is the act of a man who has attempted to surmount the prejudices of the past, with all the heartbreak and all the doubts which that implies. He was a man who, first among all his own people, had set foot on a new road. It is therefore in the particular context of Arabism that Sadat acquired the stature of a man of exceptional courage and intelligence.

What Israel awaited from President Sadat, from the Egyptian people, and from the Arab peoples, was recognition of the link, depicted in history and the Qur'an, between the Jewish people and the Land of Israel—as well as the right to national sovereignty of the Jewish state in its own land. The courageous initiative of President Sadat must be warmly supported. It opened the way to the

establishment of a just peace that respects the national rights of both Jews and Arabs.

NOTES

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7.

DHIMMITUDE

Jews and Christians under Islam

Bat Ye’or

Except for Asia, all the countries that were conquered by jihad (Muslim holy war) in the course of history—from Arabia to Spain and the Balkans, including Hungary and Poland—were peopled by innumerable Christians and by Jewish communities. This geographical context is therefore the true terrain of interaction between the three religions. Actually, it was in Islamic lands that they opposed, or collaborated with, one another for up to thirteen centuries. I have called this vast political, religious, and cultural span the realm of *dhimmitude*, from *dhimma*, a treaty of submission for each people conquered by jihad.

The historical field is generally studied in the context of “Islamic tolerance,” but *tolerance*—or *toleration*—is an ambiguous word, since it implies a moral and subjective connotation. Moreover, the word *toleration* cannot encompass the historical density and the complexities of the numerous peoples vanquished by Islam over the centuries, as it is a vague and general notion used irrespective of space and time.

Instead of *toleration*, I have proposed the concept of *dhimmitude*, derived from the word *dhimma*. The vanquished, subject to Islamic law, became a dhimmi people, protected by the *dhimma* pact from destruction. Islamic legislation governing dhimmi peoples was the same for Jews and Christians, although the latter suffered more from it—declining from majorities, at the dawn of the Islamic conquest, to tiny minorities in their own countries. The domain of dhimmitude comprises all aspects of the condition of the dhimmis: that is, the

Jews and Christians tolerated under Islamic law. Dhimmitude as an historical category is common to, but not identical for, Jews and Christians under Islam.

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Islamic law governing Christian dhimmis developed from Byzantine Christian legislation enacted from the fourth to the sixth century. It aimed at imposing legal inferiority on native Jews of Christianized countries—lands that were subsequently Islamized. These early Christian influences on Islamic law are not limited to the juridical domain but also appear at the theological level.

The study of the Jewish dhimmi condition necessarily encompasses the theological and political interaction among the three religions. During the Second Vatican Council (1962-1965), for instance, the Arab churches—yielding to pressure from their governments—strongly objected to the proposed suppression of the “deicide” accusation against the Jews. Yet the crucifixion of Jesus is not recognized in the Qur'an; therefore the accusation of deicide is meaningless for Islam. Such interferences by Arab governments in a strictly Judeo-Christian theological matter were intended to maintain the delegitimization of the state of Israel in a Christian context. Indeed, it was the deicide accusation that had structured Byzantine policy of Jerusalem's de-Judaization and the promulgation of a specific, degrading Jewish status. It was that same status that Muslim jurisconsults adapted to the jihad context with harsher modifications, imposing it equally on Jews and Christians. Clearly, Jewish-Muslim relations also comprise those Jewish-Christian relations that were transposed within an Islamic context—particularly the Jewish status in Christian legislation. Similarly, the Muslim-Christian relationship cannot obscure its Jewish dimension, because Islam associates Christians and Jews in the same dhimmi category—a specific category that was first enacted by Christians for Jews in a quite different theological context.

The study of dhimmitude comprises these multifarious aspects and requires an approach devoid of apriorisms. One can try to define the ideology that imposes dhimmitude on non-Muslim peoples: their obligatory submission by war or surrender to Islamic domination. One could examine its origin, the legal and political means used to dominate other peoples, the causes of its expansion or of its regression. Actually, it is a study of the ideology of jihad, whose jurisdiction—based on the modalities of battles and conquest—must be

imposed on the vanquished peoples. How this or that land or city was conquered will determine for all time the laws to be applied there. Centuries after the Islamic conquest, Muslim jurists still consulted ancient chroniclers to determine whether churches and synagogues were legal or forbidden in towns or regions that had formerly been conquered, whether by surrender or by battles and treaties. Such regulations concerning religious buildings are still enforced in many Muslim countries today. So one discovers, throughout the ebb and flow of history, that dhimmitude is composed of a fixed ideological and legal structure. It constitutes an ideological, sociological, and political reality, since it is integrated into every aspect of the human societies it characterizes. This is proved by its geographical development, its historical perennialism, and its present resurgence.

The body of law prescribing dhimmitude originated from a single source: Islamic power. Apart from a few minor differences regarding the Sharia's (Islamic law's) interpretation, the dhimmi status constituted a homo-geneous unit applied in the *dar al-Islam*. But the peoples of dhimmitude comprised all the ethnic, religious, and cultural variations of the Islamized regions of Africa, Asia, and Europe—thereby implying regional differences. One must therefore study the local history of each dhimmi group in order to detect if the causes of differentiation were of a geographical or a demo-graphical nature, or the result of pre-Islamic local factors. Thus dhimmitude should encompass the comparative study of all dhimmi groups, for territories were not just conquered; their Islamization could take three or even four centuries, while some regions had already been Islamized by migrations prior to their military and political conquest. The study of dhimmitude, then, is the study of the progressive Islamization of Christian civilizations. In this evolution, one detects permanent structures but also different local factors that facilitated or temporarily checked this process.

The confusion of the political and economic domain is an important element in the development of the mechanism of dhimmitude. In exchange for economic advantages, non-Muslim rulers conceded to the Islamic power an essential political asset: territory. This policy appears at the start of the Muslim-Christian encounter. In modern times, the financial interests of Lebanese Christian politicians with the Muslim world were decisive in the intercommunal struggle that led to the final destruction of Lebanese Christianity. In this context of political concessions in exchange for financial gains, one should emphasize that the economic domain belongs always to the short term and the conjunctural,

whereas the political sphere is long-term and implies power, notably military power. Hence, this feature of corruption—paramount in the whole system of dhimmitude—which is, in fact, the surrender of political power (territorial independence) for the economic control by the dhimmi church leaders over their communities.

It is evident that the civilizations of dhimmitude are extremely complex. The process of Islamization of such societies rested on several factors, the most important being the demographical one that transformed Christian majorities into minorities. This result was achieved through several means that combined legal disabilities and economic oppression in times of peace with destruction, deportation, and slavery in wartime and during riots or recurrent political instability. Such a transformation of civilization and of peoples also implied an extensive mechanism of osmosis, including collaboration and collusion by the elites of Christian nations that were engaged in the painful process of their self-destruction. Without this perennial collusion, the Islamic state could never have survived. Christians had collaborated in its development on all social levels and in every field, either by free choice or otherwise.

It was through Christian patriarchs and Jewish community leaders that the Islamic government imposed its authority, making of them its instruments in the control and oppression of their respective populations. Thus entire dhimmi groups collaborated in the growth of the Islamic civilization. One could also investigate the way in which different Christian and Jewish groups reacted to dhimmitude. We know that there was a strong alliance between Arab-Muslim invading troops and the local Arab-Christian tribes, as well as with the Oriental Churches. Some members of the Christian clergy not only welcomed the Muslim armies but also surrendered their cities.

The Eastern Churches were always associated with Islamic rule and benefited from it, becoming thereby the sole administrators of millions of Christians. One can examine the role of the clergy, the military class, the politicians, and the intellectuals in assisting the Islamic advance that placed their own peoples under the yoke of dhimmitude. Documents of this kind abound concerning the later Ottoman conquest of the Balkans.

The conflict of interests within the dhimmi populations indicates that different forces were at work in each community forces of collaboration and forces of resistance. Thus dhimmitude encompasses various types of relationships at all levels between the Muslim community and the dominated, tolerated, dhimmis—relationships that were regulated by laws ensuring Islamic

protection and that embrace politics, history, and conjunctural situations. Modern studies on the Turkish advance in the Balkan peninsula have mentioned the mental climate that prepared a society for its surrender. One finds an evolution at all social levels, combining compromise, collusion, and the corruption that facilitated the final submission.

A similar process could have been detected in the modern history of Lebanon from the beginning of the twentieth century to the recent disintegration of Christian resistance. Here the internecine conflict between the forces of collusion and resistance brought about the collapse of the targeted Christian groups. The situation in southern Sudan and in the Philippines provides contemporary examples of such internecine conflicts that could lead to similar situations.

Dhimmitude also encompasses the relationship between each dhimmi group, the religious rivalry among churches seeking to use the Muslim power in order to diminish or destroy rivals. This domain also overlaps with the dynastic, political, and national conflicts among Christian rulers who obtained power through Islamic help. Since the status of dhimmitude lasted from three to thirteen centuries, depending upon regions, it allows one to study numerous cases of different peoples—all theoretically subject to the same Islamic jurisdiction, with differences here and there.

What were the results of Muslim interference on the intercommunity relationships between the dhimmi peoples themselves? Did it keep their conflicts alive? How did the Muslim power manifest its protection? (The dhimmis were, of course, protected by Islamic law.) There is also the conflict between jurists, inclined toward a more severe interpretation of the law, and the caliphs or rulers, whose policies were sometimes more lenient—a problem still topical today. Therefore the domain of dhimmitude consists of the interaction of the dhimmi peoples among themselves, with the Muslim power, and with the outside world. What were the consequences of the protection afforded to each dhimmi group by the European Christian countries? How did their political and commercial rivalries affect the interrelationship of the dhimmi peoples and their situation within their Muslim environment? And to this should be added the consequences of proselytism among the various contending churches.

One might think that the history of dhimmitude had long since disappeared into a forgotten past, but this is not so. Specialists have called political Islamic radicalism a “return,” thus implying the existence in the past of a political ideology that had disappeared and is now resurfacing. Optimistic

analysts focus only on the economic and political factors that have contributed to the emergence of Islamic radicalism, although its ideologico-religious causes and traditional roots are so obvious that they alone would justify the use of the term *return*.

Jihad militancy and the reintroduction of some of the Sharia's provisions in countries where they had been abolished are now threatening indigenous Christians and other non-Muslim populations. The most tragic cases are found in Iran, Pakistan, Sudan, and Upper Egypt (by Islamists). Aspects of the dhimmi condition—abolished under European pressure from the mid-nineteenth century on—is returning in these countries and elsewhere.

Even antisemitic statements made by Abbe Pierre in April 1996, firmly condemned by the French episcopate and public opinion, are a reminder of a pervasive Christian dhimmitude. Abbe Pierre—one of France's most popular public figures—reiterated that, because of their iniquities since the time of Joshua, the Jews had forfeited God's promise. Apart from being a classic example of the Church's judeophobia, such a declaration was clearly aimed at pleasing the Muslims. Since the Judeo-Christian reconciliation initiated by the Second Vatican Council, the Arab Churches requested from the Vatican a strictly symmetrical attitude toward Jews and Muslims. This requirement establishes, in fact, a false symmetry between totally different theological, historical, and political contexts: the Judeo-Christian relationship and the Muslim-Christian relationship. The Jews were oppressed in Christian lands but never had any ambition to conquer them and impose their own laws there, whereas Islamic armies seized innumerable Christian lands, in which only small, vulnerable, and scattered Christian communities survive today.

Abbe Pierre's earlier meditations at Yad Vashem in Jerusalem were thus symmetrically balanced by a visit to Yasir Arafat in Gaza, where he begged forgiveness for the West's creation of the State of Israel. But the good Abbe could have spared himself such scruples, for Israel's rebirth occurred despite the genocide of European Jewry, and from the start the Vatican only supported the Palestinian cause. But a "Palestinian genocide" has become a symbolic necessity to balance the genocide of the Jews. Overlooking a span of more than three millennia, Abbe Pierre chose to link—anachronistically and in a delirious amalgamation—today's Arab Palestinians with biblical Philistines and Amalekites in the time of Joshua.

It is this desire for a specious symmetry that reduced to oblivion the tragic and painful domain of Christian dhimmitude, which could not be

paralleled with a similar Jewish domination over Christian populations. Indeed, much effort has been deployed in Europe to establish similarities between Palestinians in Israel and dhimmis, especially by blaming Israeli security measures to counter Palestinian terrorism, which was conveniently glossed over as “freedom fighting.” This attitude not only expresses a traditional Christian Judeophobia—now totally rejected by the Vatican and other churches—but also the complexity of Europe’s relations with Israel and with Arab countries, where Christian rights are challenged by Islamists. As Europe’s policy is determined mainly by its own strategic and economic interests, it shows no more sympathy to Eastern Christians than it does to Israelis. Islamic radicalism is feared, as it could provoke in Europe anti-Muslim reactions leading to economic retaliation and terrorism from Muslim states.

Since the beginning of the twentieth century, starting with the Armenian genocide (1896-1917), then the massacres of Christians in Iraq (1933) and Syria (1937), the condition of the Eastern Christians (in spite of their involvement in Arab politics) has constantly deteriorated. Thus one can see how dhimmitude still influences the interaction of different religious groups. To be sure, many scholars have studied their histories separately, but the concept of dhimmitude provides a wider and unified framework for all those varied communities that have undergone the same experience throughout history.

It is interesting to examine the different paths that each dhimmi group felt compelled to adopt, either by historical circumstances or geography, to regain its liberty and dignity. The national liberation of dhimmi peoples meant that the jurisdiction of dhimmitude, imposed by jihad, was abolished; they could then recover their proscribed language, their history, and their culture. The Christian peoples of the Balkans fought for their national sovereignty, as did the Armenians later, and the Jews in their own homeland; but Christians of the Middle East chose assimilation in a secularized Islamic society and became Arabized.

As a result of European colonialism in Arab lands, as well as the rebellions and struggle for the national liberation of Christian peoples in the Ottoman Empire, hundreds of thousands of Christians were killed during the nineteenth and early twentieth centuries in Muslim-dominated regions. Christians lived in constant fear of further atrocities. The Greeks were saved from a genocide in the early nineteenth century by the intervention of the Anglo-French and Russian armies. Their uprisings throughout that century were punished by massacres and the slavery and conversion of women and children.

Similar reprisals struck both Serbs and Bulgarians in their own lands.

The genocide of the Armenians and atrocities in Iraq and Syria compelled the Lebanese Christians to create a refuge country for their persecuted brethren from neighboring lands. Some Lebanese were favorable to the restoration of a Jewish state in its historical homeland and were sympathetic to the Zionist cause, for they knew that the position of Jews and Christians under Islam was similar. But this current, led by the Maronite patriarch Antun Arida and archbishop of Beirut Ignace Mubarak, represented a small minority among the Eastern Christians, who remained, like the Vatican, adamantly hostile to a Jewish state in Palestine and especially to any Jewish sovereignty in Jerusalem. Within the context of the Jewish national liberation movement, one should remember that Muslims and the Oriental Churches were hostile to a massive return of Jews to their homeland. Jews had been condemned to suffering and exile by both Christianity and Islam, and therefore Jewish sovereignty in Palestine-Israel was totally unacceptable. How much European opposition to a Jewish state had helped the execution of the Final Solution is a question that concerns historians of the Holocaust. Clearly, antisemitism is intrinsically linked to the concept of Jewish evilness, which justifies a *judenrein* Palestine, especially Jerusalem.

Thus, one finds, in both the political and religious spheres, a hostile Muslim-Christian front against Zionism and later against the State of Israel. Many of these Oriental Christian leaders thought that this Muslim-Christian front against Zionism would help secure their position in the Arab world, first under the banner of pan-Arabism and then under the slogan “the just Palestinian cause.” Palestinian anti-Zionist Christians, especially their clergy, were in the vanguard of the battle for the destruction of Israel. Some proudly participated in the worst acts of terrorism. Much of the anti-Israeli propaganda was formulated by Christian Palestinians in order to exacerbate traditional judeophobia in the West. Among them were clergymen from the Levant, such as Roman Catholic archbishop Hilarion Capucci. In fact, many in the West justified the jihad aims and tactics against Israel—and even against Jews everywhere.

The responsiveness of post-Holocaust Europe to anti-Zionism has many geostrategic and economic reasons, but it also derives from the easy channeling of traditional Judeophobia into anti-Zionism. Thus it is not surprising that the PLO’s official Christian representatives were much appreciated by politicians, intellectuals, and the European media. In antisemitic circles, they were endowed with a holy mission, embodied in the historic role of the Palestinian clergy. In Byzantine Palestine, the clergy had forbidden Jews to reside and pray in

Jerusalem. One of the worst massacres of Jews occurred at the instigation of the Jerusalem patriarch Sophronius, who suggested it in 628 to the emperor Heraclius (610-41). Some years later, when the Arabs conquered Jerusalem from the Greeks, Sophronius tried to persuade Caliph Umar Ibn al-Khattab to forbid any Jewish presence in Jerusalem. So we see that even at this moment of the terrible defeat, slaughter, and anguish for Christians, the Palestinian patriarch was obsessed by Judeophobia. Sophronius, later canonized, died a few years after surrendering Jerusalem to the Muslim conquerors. When welcoming Yasir Arafat in 1995 to the Church of the Nativity in Bethlehem for the traditional Christmas mass, Latin patriarch Michel Sabbah was happy to recall how Sophronius had delivered Jerusalem to Umar in 636; sixty years later—and until the 1860s—no cross could adorn a church in Jerusalem.

Throughout the centuries, Christian Judeophobia in Jerusalem and Palestine was virulent. In my books, I have reproduced nineteenth-century reports from French and British consuls who were shocked by this hatred, which led to criminal acts. In the twentieth century, anti-Zionism cemented the Palestinian Muslim-Christian alliance with Hitler's ideology; this collaboration with Nazi Germany is well known.

Whereas the Holocaust developed in a European context, anti-Zionism belongs to the domain of dhimmitude. Here the powerless Palestinian Christians—like Sophronius—had to rely on the Arab-Muslim force to prevent the restoration of a Jewish state. Among the multitude of events from the twentieth century, historians in the next millennium may well be intrigued by two particularities: the First concerns the relentlessness shown by many European politicians in exterminating and pillaging European Jewry; the second concerns post-Holocaust Europe, which is linked to the first by a similar desire of many to demonize Israel. Yet the twentieth century witnessed important Western strategic defeats in the Middle East. Armenian independence, promised at the end of World War I (in the Treaty of Sevres) was never implemented; the same applies to the Kurds. Lebanon, considered a paragon of the realization of a Muslim-Christian symbiosis, finally collapsed in a bloody tragedy. Massacres and slavery continue to ravage the Christian and animist populations of southern Sudan; the war in the Philippines fueled by a secessionist Muslim minority group claimed 120,000 lives over the past twenty years. Genocidal massacres have been perpetrated in numerous countries, but for thirty years the main target—constantly highlighted in the media—remained Israel. This extraordinary blindness was in part caused by the Palestinian clergy, which, with its numerous

religious and secular channels in Europe and elsewhere, helped to uphold the Palestinian issue as the world's first priority.

However, the militancy against Israel of the Muslim-Christian front paradoxically led to increased instability and anguish for Arab-Christians. The reasons are not difficult to find. In order to maintain this anti-Zionist front, Oriental Christians were obliged to make continual compromises. They were afraid to mention their own history of suffering and dhimmitude under Islam for fear of irritating the Muslim world; it became a taboo subject even in Europe. Eastern Christians, especially the Palestinians, thought that their support for the anti-Israeli jihad would secure their safety in a hostile environment. But this policy brought negative results: (1) The encouragement of an anti-Israeli jihad has fueled and developed a rhetoric of war hatred against Christians, because the dogma of jihad associates them with Jews. The more the Christians fought to delegitimize Israel, the more they weakened their own rights. (2) This factor had dramatic consequences for the Lebanese Christians. Like the Jews, their war for freedom in their own country was a struggle to impose on the Islamic world the respect for their rights to dignity—not to be considered as an inferior group, ready for a modernized dhimmitude. And as a result of their common destiny with Jews in Islamic dogma, the jihad aggressiveness rebounded against the Lebanese Christians inadequately prepared for such a confrontation. And since the history of dhimmitude and jihad was obfuscated in Europe—thanks to the Christian, pro-Islamic, anti-Zionist lobby—and as the Palestinian cause became the sacred cause of the international community, when the PLO fought the Christians in Lebanon, the latter were soon abandoned.

Hence, the concealment of dhimmi history, and of the ideology of jihad—a deliberate policy maintained for decades in the West—has facilitated a return of the past, as the same political system is now inscribed in the program of today's Islamists.

There is another, no less important, aspect of dhimmitude: the psychological and spiritual one. The dhimmi mentality appears with no great differences in its Christian or Jewish version. One could examine it either in relation to the concept of rights or to that of toleration. One should bear in mind that the study of dhimmitude necessitates an examination of the common condition of both Jews and Christians, who form one entity the “People of the Book.” They are thus complementary, and the rules applied to one group likewise concern the other. Another aspect of this complex historical domain relates to their mutual relationship in the world of dhimmitude and to the manner

in which each group viewed the other. Solidarity and mutual aid in time of persecutions existed, as did denunciation and revenge motivated by fear and greed. But, in general, a similar condition contributed to creating mutual bonds of understanding.

Thus, one realizes that the concept of dhimmitude—rather than the term *tolerated minorities*—covers a wide domain of research. One can study its dynamic, its evolution, its modalities, and the interactions of diverse elements within this context that shed light on the areas of fusion, interdependence, and confrontation between Islam, Christianity, and Judaism. Dhimmitude is a neutral concept and therefore a tool for historical investigation.

For me, as a Jew, this insight into Christian dhimmitude represented an intellectual experience that was not easy to undertake. This was not the domineering face of European Christendom, persecuting and triumphant, but the discovery of its persecuted, humiliated, and suffering *other* side. In short, Eastern Christianity's history of dhimmitude under Islam is a sort of “Jewish experience”—endured this time by Christians. This is why this history was so resolutely and intensely denied by most Eastern Christians, especially Palestinians. For a Jew, this quest constitutes a moral ascesis, because it is no easy task to find expressions of the same suffering in one's persecutor. But this companionship gives a new approach to human trials and opens common perspectives of reconciliation with Muslims. It makes it easier for Jews and Christians to strive with liberal Muslims, thus freeing them from prejudices of the past and from the concepts of jihad and “tolerance,” replacing them with new bonds of friendship and esteem between equals.

For the Jewish people—liberated from Christian antisemitism in its own homeland, as well as from dhimmitude imposed on them by Islam—this long task of reconciliation with Christianity and Islam could strengthen respect between the three religions and their respective peoples.

shake him. saying, “Pay your tax, Zimmee!”)—It is therefore evident that capitation-tax is a punishment; and where two punishments come together, they are compounded, in the same manner as in Hidd, or stated punishment. Secondly, capitation-tax is a substitute for destruction in respect to the infidels, and a substitute for personal aid in respect to the Muslims, (as was before observed;)—but it is a substitute for destruction with regard to the future, not with regard to the past, because infidels are liable to be put to death only in future, in consequence of future war, and not in the past. In the same manner, it is also a substitute and in the past. With respect to what is quoted from the Jama Sagheer—”and another year also pass,” so as to make two years,—for it is there mentioned that capitation-tax is due at the end of the year, wherefore it is requisite that another year be elapsed, so as to admit of an accumulation of two years’ tax, after which the two year’s taxes are com-pounded:—Others, again, allege that the passage is to be taken in its literal sense; and as capitation-tax is held by Haneefa to be due upon the commencement of the year, it follows that by one year passing, and another arriving, an accumulation of the tax for two years takes place.

23. 3989 *Al-Hedaya*, vol. 2 (Hanafi manual) [infidels may be attacked without provocation]: “The destruction of the sword is incurred by infidels, although they be not the first aggressors, as appears from various passages in the sacred writings which are generally received to this effect.”

24. *Al-Hedaya*, vol. 2 (Hanafi manual): “[The] capitation-tax is due only in lieu of destruction. . . . That is to say, is imposed as a return from the mercy and forbearance shown by the Muslims, and as a substitute for that destruction which is due upon infidels.”

3997 *Al-Hedaya*, vol. 2 (Hanafi manual), states that infidels refusing either to embrace the faith or to pay tribute may be attacked.

Chapter004

1. *Dhimma* is an Arabic word describing the

relationship or covenant between the dominant Muslim power and the subjected populations belonging to the revealed religions; *dhimmi* refers to “the People of the Book” {*ahl al-kitah*}, that is, the Jews, the Christians, and equally the Zoroastrians and Sabeans. Others were usually given the choice between conversion to Islam or death.

2. Attributed, traditionally, to Umar I (634-44 CE) but, by most European orientalists, to Umar II (717-0 CE).

3. Y. Masriya [Bat Ye’or], “A Christian Minority: The Copts in Egypt,” in *Case Studies on Human Rights and Fundamental Freedoms*, ed. Willem A. Veenhoven and Winifred Crum Ewing, vol. 4 (The Hague: Martinus Nijhoff, 1976), pp. 77-93; Bat Ye’or, *Reflexions sur la condition de l’opprime: Le Dhimmi* (to be published). [This reference to Bat Ye’or’s first book on the dhimmis has been left as printed in 1976. Nearly four years later—during which period the manuscript circulated—it found a publisher in Paris, with a modified title: *Le Dhimmi: Profit de l’opprime en Orient et en Afrique du Nord depuis la conquête arabe* (Paris: Editions Anthropos, 1980); *The Dhimmi: Jews and Christians under Islam*, preface by Jacques Ellul (Cranbury, NJ: Fairleigh Dickinson University Press, 1985).]

4. D. F. Green, ed., *Arab Theologians on Jews and Israel*, extracts from the proceedings of the Fourth Conference of the Academy of Islamic Research, 1968, 3rd ed. (Geneva: Editions de l’Avenir. 1976), p. 61. [D. F. Green was the pseudonym, for this book only, of David G. Littman (“D.”) and Yehoshafat (“F.”) Harkabi.]

5. Ibid, p. 91.

6. Bernard Lewis, “An Anti-Jewish Ode: The Qasida of Abu Ishaq against Ibn Nagrella,” in *Salo Wittmayer Baron Jubilee Volume on the Occasion of His Eightieth Birthday*, ed. Saul Lieberman and Arthur Hyman (Jerusalem: American Academy for Jewish Research 1975), pp. 660-63.

7. Antoine Fattal, *Le Statut Legal des Non-Musulmans en Pays d’Islam* (Beirut: Imprimerie Catholique, 1958). pp. 369-72, quoted in Y. Masriya, *Les Juifs en Egypte* (Geneva: Editions de l’Avenir. 1971), p. 63.

8. See David G. Littman, “Quelques aspects de la condition du dhimmi: Juifs d’Afrique du Nord avant la colonisation,” *Yod, Revue des Etudes Hebraiques et juives modernes et contemporaines* (Paris) 2, no. 1 (1976): 45 (letter of 1894).

[9.](#) Louis Gardet, *La cite musulmane: Vie sociale et politique*, Etudes musulmanes, (Paris, 1954), p. 348. [Reprint Paris: Vrin, 1995.]

[10.](#) Robert Brunschwig, “Les non-Musulmans, I. Les Juifs,” in *La Berberie orientale sous les Hafssides Des Origins a la fin du XX Siecle*, vol. 1 (Paris: Institut d’Etudes Orientales d’Alger, 1940), p. 404.

[11.](#) Gustave von Grunebaum, “Eastern Jewry under Islam: Reflections on Medieval Anti-Judaism,” *Viator* (University of California) 2 (1971): 369.

[12.](#) Bernard Lewis, “The Pro-Islamic Jews,” *Judaism* (New York) 17, no. 4 (1968): 401.

[13.](#) Leon Godard. *Le Maroc: Notes d’un voyageur, 1858-59* (Algiers, 1860), p. 32, quoted in Joseph Goulen, *Les Mellahs de Rabat-Sale* (Paris: Paul Geuthner, 1927), p. 123.

[14.](#) Israel Benjamin (II), *Cinq années de voyage en Orient (1846-1851)* (Algiers, 1855). p. xxviii. [English translation published as *Eight Years in Asia and Africa, from 1846 to 1855*, with a preface by Dr. B. Seeman Hanover, 1959.] The writer’s pen name was chosen, so he recounts in a note, in memory of twelfth-century Jewish traveler Benjamin de Tuleda.

[15.](#) Jacob Saphir, *Eben Sappir* (Jerusalem, 1866), p. 52, quoted in Joshua Feld-mann. *The Jews of the Yemen* (London: Speaight & Sons, 1913), pp. 15-16.

[16.](#) Yomtob Semach, *Une mission de l’Alliance au Yemen* (Paris: Alliance Israelite Universe, 1910); see also *Bulletin de l’Alliance Israelite Universelle*, 1910, pp. 48-167.

[17.](#) David G. Littman, “Jews under Muslim Rule in the Late 19th Century,” *Wiener Library Bulletin* (London) 28, n.s. 35-36 (1975): 65-76; “Jews under Muslim Rule II: Morocco 1903-1912,” *Wiener Library Bulletin* 29, n.s. 37-38 (1976); Littman, “Quelques aspects de la condition du dhimmi: Juifs d’Afrique du Nord avant la colonisation.”

[18.](#) Said Ghallab, “Les Juifs sont en enfer,” *Les Temps Modernes*, no. 277 (June 1965): 2247, 2249, 2251. See Sadat’s “Letter to Hitler” (1953) in Green, *Arab Theologians on Jews and Israel*, p. 87.

[19.](#) Green, *Arab Theologians on Jews and Israel*, for many examples.

[20.](#) Through natural increase, their number has now gone from 1.75 to 2 million souls. [In 2004, roughly half of Israel’s Jewish population of 5,200,000.]

[21.](#) Georges Vajda, “L’ image du Juif dans la tradition islamique,” *Les Nouveaux Cahiers* (Paris), nos. 13-14 (1968): 7.

[22.](#) Ali Bey Domingo Badia y Leblich], *Travels of Ali Bey in Morocco, Tripoli, Cyprus, Egypt, Arabia, Syria and Turkey, between the Years 1803 and 1807*, vol. 1 (London: Longman, Hurst, Reese, Orne, and Brown, 1816), pp. 33-34.

[23.](#) Arthur Leared, *Morocco and the Moors*, 2nd ed., rev. and ed. Richard Burton (London: Sampson Low, Marston. Searle & Rivington and New York: Scribner & Welford, 1891), pp. 175-76, 217, 254.

[24.](#) William Shaler, *Sketches of Algiers* (Boston: Cummings, Hilliard, 1826), pp. 66-67.

[25.](#) Chevalier de Hesse-Wartegg, *Tunis, the Land and the People*, new ed. (London: Chatto & Windus, 1882), pp. 118-19.

[26.](#) Paolo della Cella, *Narrative of an Expedition from Tripoli in Barbary to the Western Frontier of Egypt, in 1817, by the Bey of Tripoli in Letters to Dr. Viviani of Genoa ...*, translated from the Italian by Anthony Aufrere (London: John and Arthur Arch, 1822), p. 197.

[27.](#) Edward Lane, *The Manners and Customs of the Modern Egyptian*, 2 vols. (London, 1836); reprint, 1 vol. (London: Everyman Library, 1963), pp. 559-60.

[28.](#) *Bulletin Intéieur de l'Alliance Universelle* (Paris) 1, no. 2 (November 1945): 9.

Chapter005

NOTES

[1.](#) Fouad Abdel-Moneim Riad, “The Battle for a Moral World,” *Al-Ahram* (Cairo), May 16-22, 2002, p. 8.

[2.](#) Desmond Tutu, “Build Moral Pressure to End the Occupation,” *International Herald Tribune*, June 14, 2002.

[3.](#) Patrick Sookhdeo, *A People Betrayed: The Impact of Islamization on the Christian Community in Pakistan* (Pewsey, Wiltshire, UK: Isaac Publishing, 2002).

[4.](#) Amber Haque, ed., *Muslims and Islamization in North America: Problems and Prospects* (Beltsville, MD: Amana; Kuala Lumpur: A. S. Noordeen, 1999).

Chapter006

[1.](#) The appeal mentioned took place at the

International NGO Conference on discrimination against indigenous populations in the Americas, held at the United Nations in Geneva, September 21-23, 1977.

[2.](#) Said Yahya Ibn Muhammad, quoted in Yomtob Semach, *Une mission de l'Alliance au Yemen* (Paris: Alliance Israelite Universelle, 1910), pp. 38-40.

[3.](#) Leon Godard, *Le Maroc: Notes d'un voyageur, 1858-59* (Algiers, 1860), p. 35, quoted in Joseph Goulven, *Les Mellahs de Rabat-Sale* (Paris: Paul Geuthner, 1927), pp. 27-28.

[4.](#) Quoted in Albert M. Hyamson, ed. with an introduction and notes, *The British Consulate in Jerusalem in Relation to the Jews of Palestine, 1838-1914* (London: Edward Goldston. for the Jewish Historical Society of England, 1939), part 1 (1838-1861), p. 171.

[5.](#) Moshe Perlmann, ed. and trans., *Shaykh Damanhuri on the Churches of Cairo* (1739) (Berkeley and Los Angeles: University of California Press, 1975), p. 56.

[6.](#) Quoted in Georges Vajda, “Un traite Maghrebin: ‘Adversus Judaeos’ Akham Ahl al-Dimma, du Sayh Muhammad b. ‘Abd al-Karim al-Magili.” in *Etudes d’orientalisme dediees a la memoire de Levy-Provencal*, vol. 2 (Paris: G.-P. Maisonneuve et Larose, 1962), p. 811.

[7.](#) Quoted in Martin Schreiner, “Contributions a l’Histoire des Juifs en Egypte,” *Revue des Etudes Juives* (Paris) 31 (1895): 11.

[8.](#) “Palestine National Covenant of the PLO,” quoted in Yehoshafat Harkabi, *Palestinians and Israel* (Jerusalem: Keter, 1974), pp. 51-69.

[9.](#) Quoted in Abou Yousof Ya’koub, *Le Livre de Tlmpot Fancier (Kitab el-Kharadj)*, trans. E. Fagnan (Paris: Paul Geuthner, 1921), pp. 217-18.

[10.](#) Here is meant Ibrahim Pacha, son of Muhammad Ali, ruler of Egypt. He conquered and controlled Syria and Palestine from 1832 to 1840.

[11.](#) Quoted in Hyamson, *British Consulate in Jerusalem*, pp. 4-7.

[12.](#) Arthur Penrhyn Stanley. *Sinai and Palestine* (London: John Murray. 1866). p. 117.

[13.](#) Quoted in John Bowring, *Report on the Commercial Statistics of Syria (Addressed to Lord Palmerston and Presented to Both Houses of Parliament)* (London, 1840; reprint. New York: Arno Press, 1973), p. 129.

[14.](#) John Lloyd Stephens, *Incidents of Travel in Egypt, Arabia Petraea, and the Holy Land* (1871; reprint, Norman: University of Oklahoma Press, 1970), p. 32.

[15.](#) Thomas Jenner. *Palestine et Liban* (Paris: Grassart and Neuchatel: Delachaux Niestle. 1883), p. 142.

[16.](#) Quoted in *International Herald Tribune*, March 8, 1977.

[17.](#) Quoted in *Le Monde*, January 20-21, 1974.

[18.](#) Laurence Oliphant. *Haifa: or. Life in Modern Palestine* (1887; Jerusalem: Canaan Publishing House, 1976), pp. 238-39, 241-42.

[19.](#) *The Exodus from Yemen* (Jerusalem: Keren Hayesod, n.d.).

[20.](#) Alexandre Lucciana, French vice-consul in Hodeida, Yemen, letter to the president of the Alliance Israelite Universelle, Paris, November 29, 1881; available at the AIU Archives, France VIII D 49.

[21.](#) Semach, *Une mission de l'Alliance*, p. 109.

Chapter008

NOTE

[1.](#) ECOSOC, E/CN. 4/1996/62, para. 97a.

Chapter009

[1.](#) Lord Palmerston, foreign secretary (1830-34, 1846-51), prime minister (1855-58, 1859-65); James Finn, consul, Jerusalem (1845-62); Laurence Oliphant (1829-88); Arthur James Balfour, prime minister (1902-1905), foreign secretary (1916-19); Winston Churchill (1874-1965); Orde Wingate (1903-4).

[2.](#) For simplification, all the Jews of the Middle East and North Africa are included in the expression *Oriental Jewry*.

[3.](#) Moses Maimonides, *Epistle to Yemen* (New York: Halkin Edition, 1952), pp. xviii, xx.